Volume LXIII] *December 1948* *Number 4*

POLITICAL SCIENCE QUARTERLY

VARIATIONS ON DEMOCRATIC THEMES

THE year 1948 has directed attention to a series of events which crowded a few momentous months just a century ago. The round figure of a hundred ofttimes revives interest in matters which, interpreted variously by different historians, hardly merit reëxamination, but 1848 seems to have an appositeness for the troubled times in which we live. If only things had turned out differently. If only the revolutionary fervor had been more than a flash in the pan and had perdured. If only 1848 had been a year of more than hope.

Louis Philippe fled to England and the American Congress loudly acclaimed a French Republic. By the end of the year, however, a Bonaparte, Louis Napoleon, was in the presidency by plebiscitary decision and the populace prophetically shouted "*Vive l'Empereur!*" England gave hospitality to other exiles: the Prince of Prussia whom Bismarck was in 1871 to make Emperor of Germany and who might have become so in 1848, had he encouraged instead of feared the Frankfort Parliament. Metternich fled from Austria, but Prince Schwarzenberg checked the ferment and the Empire was not to collapse until seventy years later. National self-determination was the aim, although not the cry. Italian states got constitutions. From the peninsula to the Baltic, rulers were uneasy, but they did not have to remain so long.

The events of 1848 troubled two great states hardly at all: Russia and England. The Tzars were powerful enough to say "no" to any clamoring minority, and the Chartists had to

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

wait, until their proposals, then deemed outrageous, gradually found their way into the statute book. But if England was not disturbed, Ireland was. The revolutionary current from Europe fanned disaffection in the unlucky island where, three years before, a severe potato famine had begun a wave of emigration which profoundly influenced American politics. In 1848, also, Karl Marx, a laborious worker in the British museum, published the *Communist Manifesto*, and Switzerland drafted a constitution under which democracy has flourished for a century. The revolution in France had one lasting effect. As a member of the constitutional commission wrote, "*les barricades de février ont rendu à la Suisse sa liberté d'action*" —the February barricades gave Switzerland liberty to act.

I

How the Swiss have used their liberty is the subject of two centennial volumes.[1] Just before World War I, Professor André Siegfried published his *Tableau politique de la France dans l'Ouest*—a suggestive analysis of the geographical distribution of party strength and the factors which contributed to it. Unhappily Mr. Siegfried was unable to pursue these early studies much further. In his essay on Switzerland, he uses maps to assist his exposition of the differences between the cantons in respect of population density, movement of inhabitants from canton to canton, language, religion, and support of or opposition to the major constitutional changes which the march of events made necessary. He is struck by the contrasts between a country which has been able to remain neutral during two world wars and France, which in 1918 achieved victory, threw it away, suffered humiliation in the second great struggle, and now, in the present emergency, is unable to put nation above party and to neutralize that party which acknowledges allegiance to a foreign Power. These things Switzerland has been able to do and Mr. Siegfried is admiring. His essay will make

[1] *La Suisse, démocratie-témoin.* By André Siegfried. Neuchatel, A La Baconnière, 1948. 238 pp.

La Constitution Fédérale de la Suisse, 1848-1948. By William E. Rappard. Boudry, A La Baconnière, 1948. 477 pp.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

some readers recall *America Comes of Age* with its numerous generalizations which perhaps gained in interest because they seemed thefts from the truth.

To celebrate the anniversary, the Fondation Pro-Helvetia entrusted the preparation of a constitutional history to Professor William E. Rappard of the University of Geneva and Director of the Institut Universitaire de Hautes Etudes Internationales, whose writings are as well known in the United States as in his own country. During recent years, Mr. Rappard has been active in international administration and has represented Switzerland on important missions abroad. These duties seem to have made his scholarship no less sure but only more graceful and he has given us a volume which is worthy of a noble subject and which the Fondation has had published in admirable format.

How did a five-hundred-year-old alliance of sovereign states come to agree, a century ago, that it would become a federal state with nineteen cantons and six demi-cantons which preserved a large measure of autonomy but granted to the national government what then seemed to be substantial power? Other writers have told the story, but Mr. Rappard recounts it again and well. Of chief interest, however, is the record of what has happened since the substantial revision in 1874, particularly since 1891, when amendments became possible by way of popular initiative, and especially during the inter-war period. Then, as Mr. Rappard points out, centralizing tendencies began to increase in geometrical rather than arithmetical progression.

In discussing the development of the constitution Mr. Rappard says that he will make no patriotic apology and will abstain from party controversy, but he knows that Olympian aloofness is impossible. A writer on politics expresses judgments when he dismisses some matters with bare mention and discusses others in detail. What he writes will inevitably reflect his "innermost likes and dislikes." Thus Mr. Rappard regrets the greater and greater interference with economic life that the federal authorities have been compelled to attempt but remarks drily that, without federation, Switzerland would not

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

have its modern army, its magnificent railroad system, its civil and criminal code, and a budgetary deficit of ten billion francs.

During the century the Swiss people voted on ninety-six proposed constitutional amendments and accepted one half of them. Proposals naturally became more numerous when they could be made by the initiative, and then also "infirmities of age have multiplied and have required more and more frequent surgical intervention." From 1893 to 1918, there were eleven proposals initiated by petition but only four succeeded: prohibiting the slaughter of cattle according to Jewish rites; prohibiting the manufacture of absinthe; granting the Confederation greater authority over water power; and providing for the election of the National Council by proportional representation (the proposal had been defeated in 1900 and again in 1910). In no one of the successful referenda did as many as 50 per cent of the electorate participate. The first two carried because of the small vote. During the same period, from 1893 to 1918, the electorate approved eleven other amendments proposed by the Federal Council. Practically all of them granted additional legislative authority to the federal government.

From 1918 to 1947, fifty-one "assaults" were made on the constitutional edifice and on twenty-five occasions "these attacks were crowned with success." Thirty-two proposals were popularly initiated. Only eight were accepted and, of these, five amendments were in the form that the Federal Council gave to the proposals of the petitioners. The initiatives more often emanated from the Left than from the Right, but there was no single political or social philosophy discernible. Two initiatives of distinctly socialist origin were turned down by overwhelming majorities: the Capital Levy Proposal of 1922, which Mr. Rappard has discussed in these pages,[1] and the so-called "*Initiative de Crise*" of 1935. Popular participation in these votes was over 80 per cent. As before World War I, initiatives had a greater chance of succeeding if there was a light vote. One, to prevent Swiss officials from wearing foreign decorations, brought only 41.8 per cent of the electorate

[1] "Democracy vs. Demagogy: The Swiss Referendum and Confiscatory Taxation", POLITICAL SCIENCE QUARTERLY, June 1923.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to the polls. Other measures that were accepted covered subjects like gambling houses, the supply of wheat, control of the armament industry, and the protection of the family.

One important amendment (1939) dealt with the " urgency clause ". The Swiss Constitution provides for a referendum on laws and decrees, if the demand is made by thirty thousand voters or by eight cantons, but decrees of general application may be reserved from popular approval or rejection if they are declared to have an urgent character. During the First World War, the Federal Council declared a number of decrees urgent. There was little objection. As the inter-war economic crisis became more acute, it was necessary to use the loophole more and more. From 1931 to 1938 the Federal Council declared that eighty decrees admitted of no delay. One was the devaluation decree of 1936. In syndicalist and socialist quarters there was a demand that the people get the reins of power back in their own hands. The proposed solution was to require the declaration of urgency to be approved by a two-thirds vote in the National Council and the Council of States. The Federal Council offered a *contre-projet* which the petitioners accepted and which received overwhelming approval at the polls. Urgency must now be agreed to by " a majority of all the members of each of the two Councils."

Between 1918 and 1948 the Parliament proposed nineteen revisions of which the people accepted seventeen. Almost all granted the federal authorities additional powers. The Constitution of 1848 now contains a mass of legislative provisions and is far more than a document determining the structure of the government and the manner in which power should be used. As Mr. Rappard says, " the beautiful adolescent, vigorous and well proportioned a hundred years ago, has become an old man who is somewhat difformed. He obviously bends under the load of years and the odd burdens with which he has little by little been charged." The insertion in 1891 of a clause permitting the initiative for constitutional amendments when there is no initiative in respect of ordinary legislation contributed to the " moral devaluation " of the Constitution.

It should be said, however, that the Swiss electorate has rarely behaved in a silly fashion and that the constitutional text, al-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

though mutilated, contains few clauses which cause embarrassment. It may be absurd for the charter of government to stipulate that cattle must be stunned before blood can be let or that a retired public officer must choose between drawing his pension and wearing a decoration from a foreign government, but these are trivial matters. One amendment due to popular initiative which has caused difficulty is the requirement that certain treaties, like laws, must be submitted to referendum on demand by thirty thousand citizens or eight cantons. Switzerland's treaty with France on the free zones of Upper Savoie and Gex was submitted and rejected. Two journeys to the Permanent Court of International Justice were necessary before this problem was satisfactorily settled.

Like other democracies, Switzerland faced special problems which two wars and economic crises made so acute that they could not be dealt with by ordinary statutes. The Legislature had to give the Executive extraordinary power to issue decrees. Because of the limited competence of the federal government this was more than difficult—even more "unconstitutional"—in Switzerland than it was in France, England and the United States. Mr. Rappard does not deal with the extraordinary powers which the Federal Council exercised during the two world wars. It justified its acts through so-called "neutrality reports", and, while theoretically the National Assembly could have vacated the emergency decrees, this was not done.[1] Mr. Rappard refers to the situation in connection with the last revision which he discusses (voted July 6, 1947). This amended a number of the economic articles of the Constitution and made constitutional, for the future, powers which the federal authorities had been using to meet emergencies. In approving the

[1] The public lawyers were in a dither, some horrified by "unconstitutionality" and some endeavoring to be ingenious with theories justifying the Federal Council's actions, and there was of course the inevitable doctor's dissertation. Those curious can look at W. Burckhardt, *Kommentar der schweizerischen Bundesverfassung vom 29. Mai 1874* (Berlin, 1931; F. Baer, *Die schweizerischen Kriegsverordnungen*, 5 vols. (Zurich, 1914-1918); Lili Zoller, *Die Notverordnung und ihre Grundlagen im schweizerischen Staatsrecht insbesondere* (Diss. Zurich, 1928). The literature on emergency legislation during World War I is copious; for World War II it is scanty. The novelty wore off.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

revision which put a large amount of the economic life of the country under federal control, the Swiss people, Mr. Rappard says, decided not so much " to repudiate the principle to which it owed a large part of its prosperity in the past, as to put an end to a constitutional situation which had become perfectly untenable." In being prolonged, this situation, which " permitted constant violation of the constitution by the legislator, threatened always, more and more, the moral authority of the one and the good name of the other."

II

All democracies, as I have said, faced this problem. Mr. Rossiter's book [1] is therefore on an important subject but one that has already been much dealt with. Indeed, previous writers have used his title and subtitle. Carl Friedrich, in a chapter entitled " Constitutional Dictatorship and Emergency Powers ",[2] has touched the high spots of the pre-World War II régimes that Mr. Rossiter considers: The Roman republic, Anglo-American martial law, the Continental state of siege, the Defence of the Realm Act (1914), the Emergency Powers Act (1920); Article 48 of the Weimar Constitution; the Decree Laws of Poincaré and later French Prime Ministers; the war governments of Lincoln and Woodrow Wilson and the New Deal. Hence chief interest will attach to Mr. Rossiter's discussion of the " dictatorships " of World War II: Daladier's *pleins pouvoirs*, the Emergency Powers (Defence) Act (1939 and subsequent amendments), and the Franklin Roosevelt War Administration. There is also a somewhat sketchy treatment of the British socialist government's prolongation of emergency powers and their reënactment under different statutory headings.

Mr. Rossiter shows an impressive acquaintance with a voluminous literature. His industry has been great. His canvas is large and he must perforce deal with dictatorships in a broad

[1] *Constitutional Dictatorship: Crisis Government in the Modern Democracies.* By Clinton L. Rossiter. Princeton, Princeton University Press, 1948. ix, 322 pp. $5.00.

[2] *Constitutional Government and Democracy* (Boston, 1941).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

way without getting bogged down in detail. Sometimes the details which he gives are inaccurate. Viviani was the first French Prime Minister under the Third Republic who refused to burden himself with the administrative business of a ministerial department (Gambetta had wanted to try the experiment), but Mr. Rossiter says that this "sensible break with peace time practice" was "not repeated by any of his successors" (p. 110). It was repeated by Poincaré, Doumergue, Flandin, Blum (whose book *La Réforme gouvernementale* had advocated it), Chautemps (twice), Reynaud and Pétain.

In Great Britain the office of Home Secretary was not "set up for the first time" after war came in 1939 (p. 190). The proliferation of a single Secretaryship of State is a subject that has fascinated constitutional historians. The Home Office (along with the Foreign Office) came into existence in 1782, and for ten years thereafter, in characteristically British fashion, the Secretary of State for Home Affairs had jurisdiction over the army. Bonar Law, Chancellor of the Exchequer, did not "retire" from Lloyd George's War Cabinet. He was the leader of the Conservative party and had to be in the Cabinet, but his rôle was, as the Prime Minister said, that of a "sentinel" who remained outside to see that unimportant matters did not get to the directing committee. There may have been a titular "exclusion" of the Foreign Secretary but Mr. Balfour attended regularly (p. 162). During World War II, the British Cabinet could acquire land, and, if anyone thinks the point debatable, I should like to argue the negative of the proposition that French institutions of government "have always served as models for nations throughout the world" (p. 77).

Again, Mr. Rossiter has difficulty in making up his mind. He declares that "no democracy ever went through a period of thoroughgoing constitutional dictatorship without some permanent and often unfavorable alteration in its governmental scheme" (p. 13). But in France, after World War I, there was a "complete reëstablishment of the normal procedures of parliamentary democracy" (p. 117); across the channel, "the return of peace was followed shortly by the reëstablishment of the normal pattern of British government" (p. 171); the end of the Wilson dictatorship witnessed the scrapping "of

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

practically all the new procedures and agencies which had been created to meet the demands of war, as well as by a reaction to executive power similar to that which followed the death of Lincoln." "The limitations on American liberty in World War I were ridiculously few" (p. 253), but Mr. Roosevelt endeavored "not to repeat the uncalled for excesses of the last war" (p. 276). Compared with the emergency régimes of Germany, France and Great Britain, "the crisis history of the American Republic is still hardly impressive enough to make the phrase 'constitutional dictatorship in the United States' anything more than a figure of speech"; nevertheless, "because it is so ideal a matrix for constitutional dictatorship, the Presidency does present a serious potential danger to the American people" (p. 286).

When in January 1942, after a series of naval losses and when things were going badly in Africa, the House of Commons voted confidence in the Coalition Government by 464 to 1, Mr. Rossiter remarks that "in fairness to Parliament it must be recognized that Churchill was overwhelmingly the choice of the British people." Why anyone would criticize the members of the House for swelling the majority is not explained, but a later page is less than "fair" to Mr. Churchill, who, "long since descended from his lofty pedestal, . . . deserves a heavy vote of thanks for coming down of his own accord."[1] Nevertheless there should be no excessive optimism, for "the day may well come when statutory martial law, an unvarnished English state of siege will be instituted as a recognized part of British law and Government" (p. 204). The present Conservative Opposition in the House of Commons, to which I shall refer later, is hardly that gloomy.

III

"The transfer of legislative power from Parliament to Prime Minister or Congress to President is", in Mr. Rossiter's words,

[1] In his memoirs Mr. Churchill explains the transaction differently: "On the night of the tenth of May," [1940] he writes, "I acquired the chief power in the State, which henceforth I wielded in ever growing measure for five years and three months of world war, at the end of which time, all our enemies having surrendered unconditionally or being about to do so, I was immediately dismissed by the British electorate from all further conduct of their affairs." *The Gathering Storm*, p. 667.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"a highly unusual and even dictatorial method of government" (p. 10). Well, it has been going on in Great Britain for many years. The history is set out in the Report of the Lord Chancellor's Committee on Ministers' Powers (1937) which Mr. Rossiter quotes: "There is in truth no alternative means by which strong measures to meet great emergencies *can* be made possible; and for that reason the means is constitutional." Apart from emergency, as the Report noted, eight modern acts of Parliament have given the appropriate minister authority to modify their provisions so far as it appeared to him to be necessary in order to bring the Acts into operation. Congress does not go that far, but it has long been transferring legislative power—to the independent regulatory commissions even more than to executive departments. The subjects with which they deal are now so complicated and technical that legislatures must content themselves with laying down general principles and authorizing executives to do the rest. There are many situations, moreover, which brook no delay. But speed is not synonymous with wisdom, and parliaments in approving the first must not hesitate to challenge the latter.

We may lament the gradually increasing power of the Executive, but is there much we can do about it? In the House of Commons in 1780, Joseph Dunning moved a famous resolution: "that it is necessary to declare that the influence of the Crown has increased, is increasing, and ought to be diminished." One hundred fifty-seven years later, that resolution was brought to the attention of the House of Commons by Mr. Dingle Foot, who, on January 27, 1937, moved: "that, in the opinion of this House, the power of the Executive has increased, is increasing, and ought to be diminshed." "The dangers which we believe exist today", he declared, "are not dissimilar from those which existed" in the reign of George III; "but they come not from the Crown, but from the servants of the Crown." He complained that the House had become more and more subservient to the government of the day and that statute after statute had invested government departments with arbitrary powers. He gave many illustrations. But, during Mr. Foot's speech, "Notice taken that 40 Members

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

were not present; House counted and forty Members not being present" the House was adjourned.[1] A similar resolution today would complain of the powers of the civil service—not arrogantly assumed but inevitable because of the advent of socialism and the extension of state control over difficult and technical subjects. Ministers are rarely and should not be specialists, but no matter how great their abilities and aptitudes, they have a harder and harder time in understanding the business of their departments. The situation is not improved when powerful sections of the Labor party brand as poachers on cabinet office game preserves all save those who, after spending years in factories and mines, emerged to become trade-union officials.

In the United States these problems are less acute but alarms frequently sound. In May 1937, for example, Mr. Walter Lippmann referred to Dunning's resolution and charged that the United States had "personal government beyond anything contemplated in our Constitution or in any other constitution of a free people." He prophesied that "it can lead only, like all other personal government in the past, from arbitrariness through confusion to tyranny."

Well it did not lead that far and there was never any danger that it would. But disaster came in Germany. "In the final recokoning", writes Mr. Rossiter, Article 48 "contributed heavily to the destruction of the Republic it was instituted to defend." Similarly in France, "the legislature was able to shirk its duty only because a satisfactory substitute was available. In Germany, it was Article 48; in France it was the enabling act" giving cabinets *pleins pouvoirs*. Is not such reasoning a short distance from the point?

The French Parliament would have shirked its duty if it had not passed the enabling act. If there had been no Article 48, the Reichstag would have handed over to the Cabinet power to legislate. Indeed, as Mr. Rossiter recounts, at the time of the 1923-24 crisis the Reichstag passed enabling acts which "effected an instance of 'delegated dictatorship' surpassing in

[1] *Parliamentary Debates* (Hansard), House of Commons, Official Report, vol. 319, No. 42 (January 27, 1937).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

scope and success any example" Great Britain, France and the United States could offer. Had Article 48 not existed the Reichstag would have invented an adequate substitute, and it is not correct to say that it "destroyed" the Republic.

Moreover the "destruction" began before the period from 1931 on, when Article 48 was so constantly relied upon. The Republic never had broad and sincere support. Divided into groups which proportional representation encouraged to remain separate, and which put party above country, the Reichstag lost control of finance, could do nothing to prevent the army and bureaucracy from being independent powers in the state, and was helpless as a critic of the executive. In France the fault was not with the enabling act but with Daladier's failure to use his powers to mobilize the country industrially, and with the impotence of Parliament as a critic and prodder. Pertinax' "The Gravediggers" made France fall.

One more general consideration. Speaking of the delegations of legislative power to Franklin Roosevelt, Mr. Rossiter says: "It is significant to note that it was a strictly party President to whom this power had been delegated, contrary to the practice of England, France and Weimar Germany in their experience with enabling acts." Asquith headed a Liberal and Chamberlain a Conservative government; but, since the country was at war, they were thought of as national, not party, leaders. In 1933 the domestic crisis was so great that Republicans were not affrighted of Mr. Roosevelt because he was a Democrat. For "the hundred days" the principal, almost the only, critics were certain southern senators of his own party. "Has anyone here read this bill?", the President asked puckishly as he was about to sign a banking measure in the presence of congressional dignitaries. "I have, Mr. President," Senator Carter Glass replied, "and I think I am the only one." Nor was it important in 1941 that Mr. Roosevelt was "a strictly party President".

It was important, however, in 1937. Then as noted above, Mr. Walter Lippmann was alarmed. Four years later he was writing that "it is utterly impracticable for some five hundred legislators to direct the policy of the government: their func-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tion is to approve or disapprove, to advise, criticize, examine and hold accountable." In 1937 Mr. Roosevelt headed a government of combat whose enemies were not foreign states but the opponents of domestic policies. One of his messages to Congress said that the "instruments of public power" built up during his administration would be "wholesome and proper" only in the hands of "a people's government". If "in the hands of political puppets of an economic autocracy such power would provide shackles for the liberties of the people." Alfred E. Smith offered a translation: "If you are going to have an autocrat, take me; but be very careful about the other fellow." One of Mr. Rossiter's prescriptions for making constitutional dictatorship less unsafe than it might otherwise be is that it "should be carried on by persons representative of every part of the citizenry interested in the defense of the existing constitutional order."

IV

In the light of this criterion the House of Commons debate [1] on the Supplies and Services (Extended Purposes) Act, 1947 has extraordinary interest and it is a pity that Mr. Rossiter could not deal with it. Two years previously the Supplies and Services (Transitional Powers) Act, 1945 had given the government powers to control internally the economic transition from war to peace. Defense regulations still in force could be used to maintain "supplies and services essential to the well being of the community" and to "facilitate the readjustment of industry and commerce to the requirements of the community in time of peace." In 1947 the Labor government told the House of Commons that it was afraid that some measures it proposed to take might appear to the courts to be *ultra vires*. In developing exports, for example, the intention was to do more than "maintain" and to go beyond the pre-war levels. Could the government, for example, require the manufacture of luxury goods for export in order to secure hard currency? A new bill was necessary. In the Attorney General's opinion it did not "greatly increase the

[1] *Parliamentary Debates* (Hansard), House of Commons, Official Report, vol. 441, Nos. 159-162 (August 7, 8, 11, 12, 1947).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

already extensive powers which have been entrusted to the Government by Parliament, but it will remove the doubts which have been raised as to the extent those admittedly wide powers can be used not only for purposes connected with the transition from war to peace, but the present economic emergency."

To this the Conservative Opposition did not object; but it was able to seize upon a number of points and debate them bitterly. Back benchers seemed not to agree with the Cabinet view. "This Bill is a symbol of one fact—this is not going to be another 1931," exclaimed one back bencher. "This Bill symbolizes today the end of all those delusions that have been growing up on the other side that, finally, the time would come when this Government would turn from their Socialist path" and refuse "to take the necessary power to plan the country's economy and get it through the crisis."

The language insisted upon "to remove doubts" was certainly broad enough: that the government could by orders (subject to negative prayer in the House of Commons) act "(c) generally for ensuring that the whole resources of the community are available for use, and are used, in a manner best calculated to serve the interest of the community." Under this what was there that could not be done? And what would be done? The Lord President of the Council (Mr. Herbert Morrison) refused to say:

> We have no preconceived notions as to precisely how we propose to utilize it [the Bill]. What we need is the power to utilize it. [Hon. Members: "Oh."] Certainly, if the House expects the Government to act with vigor in this situation, as the Opposition have demanded and the Conservative Press have demanded, then the Government are going to have adequate powers with which to do it and we are not going to be cross-examined in advance on what exactly we are going to do with the powers when we get them. There is no legitimate case for doing so, none whatever. We shall use them as we go along for the purposes set out in the Bill, and we shall be accountable to Parliament for the action which we take.

What the government demanded, Winston Churchill charged, was "a blank cheque for totalitarian government."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Sweeping powers had been granted to his war government, but that was

> at a moment when invasion, death, and the physical destruction of our whole race and state seemed to be at hand or threatening. Moreover, there is a great difference between entrusting powers to a Government representing all parties in the nation, joined together in a common cause, and entrusting the same powers to men who barely held a majority in the country even in 1945, who have shown themselves again and again in the past two years always to be ready to put party before country, always ready to scorn the feelings and harry the interests of their political opponents.

After a long and bitter debate which ran over several days and the whole of one night, the Labor government drove the measure through. It accepted an amendment that nothing in the Act "authorized the suppression or suspension" of any newspaper or other publication, and Mr. Morrison gave an assurance that the government did not intend to use it to nationalize the steel industry. But the party steamroller flattened all other criticisms.

Those interested in "constitutional dictatorship" will feel well paid if they read the whole of the debate. They will see arrogance in some and humility in others of the triumphant majority. They will detect an occasional identification of workers with the citizenry. They will note that the Opposition fears the present socialist government less than it would one in which other personalities were dominant. "We require these powers for the defense of our country against economic misfortune," exclaimed Mr. Morrison. The Conservatives feared that the government would make the interest of the Socialist party identical with the national interest. In the ranks of both groups were many who realized that the House was debating more than an important bill; it was face to face with the great dilemma of the modern democratic state: the curtailment of liberties in order to cure economic illness. As the distinguished French student of British institutions, Emile Halévy, said in a remarkable, but largely unremarked, article: "The Labour leaders [he would now qualify and use "some"] are men whose doctrine requires them to make the state stronger

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and whose good British instinct is to make the state as weak as possible." [1] But considering the temper of the debate as a whole and remembering that a general election is due in 1950—perhaps before—few readers will conclude that the passage of the bill brought even a varnished "English state of siege" measurably nearer.

V

Foreign policy is rarely discussed in terms of varnished or unvarnished states of siege. *The Man in the Street* [2] is mindful of the potato famine and of Irish influences in American politics. It attempts to answer the question "Why do we behave like Americans in regard to the outside world?" One short and possibly adequate answer may be "because we are Americans." The French will behave as Frenchmen, the English as Englishmen, the Huns as Huns and the Russians as Russians and Communists. Mr. Bailey says that his book is a "pioneering enterprise". He has endeavored to correlate "what" we think with "why" we think and to link the present with the past. He has made extensive use of public opinion polls—that is, of the percentages of "yes's" and "no's" and "no opinions" which the various pollers have obtained in response to questions on foreign policy which they have asked since "the new science of public opinion measurement" has been practiced.

For the twilight before the dawn of this new day, Mr. Bailey relies on newspaper comment by journals all over the country. Some of his quotations are extremely interesting and apt. Grass root editorial writers have been pithy, pungent and profound, but I suppose that the inanities are legion. The treatment is topical rather than narrative. Spread Eagleism, Unguarded Ramparts, Different Sections, Apathy, Ignorance and Isolationism, Monroeism, Manifest Destiny, Pressure Groups—these are a few of the chapter headings of the book. There is some repetition but not much. Of *clichés* there are a good many:

[1] "Socialism and the Problem of Democratic Parliamentarism", *International Affairs*, July 1934.

[2] *The Man in the Street: The Impact of American Public Opinion on Foreign Policy.* By Thomas A. Bailey. New York, The Macmillan Company, 1948. v, 334 pp. $5.00.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

" sowed the Dragon's teeth "; " a fool's paradise "; " the school of hard knocks "; " apple of discord "; " water can rise no higher than its source "; " omelettes are not made without breaking eggs." Of wisecracks there are a few. Apropos the Spanish War territorial acquisitions, Mr. Bailey remarks that, " as McKinley retired to pray, Hanna laid plans to prey." The Hague Peace Conference of 1907 is the " Vague Conference ". " Civilized nations are those that cannot endure wrongs or injustices except at home."

Occasionally the topical treatment interprets the same transaction in different ways. Thus in dealing with " The Harvest of Ignorance ", Mr. Bailey says that Secretary Seward " discreetly spread information regarding the great natural resources of the territory " of Alaska, in order to overcome opposition to his treaty of 1867. When he discusses the purchase under the rubric " Miasma of Manifest Destiny " he charges that Seward " virtually tricked the people into accepting Alaska." Some confusion arises also as to what " the man in the street " has actually " thought ", even in the new era. Thus a month or so after Pearl Harbor a poll showed that " a strong majority " of people, even those on the Pacific coast, thought that " the Germans were a greater menace than the Japanese " (p. 86), but early in 1942 (shortly after Pearl Harbor) " six out of ten citizens were for concentrating our main effort, or all our efforts, against Japan." The administration was able to ignore this sentiment " partly because it lacked great intensity but primarily because public opinion may be defied in wartime with greater impunity " (p. 143). I wonder.

Mr. Bailey says that " an appalling ignorance of foreign affairs is one of the most striking and dangerous defects of American public opinion " and then proceeds to give some shocking examples of how ignorant the public apparently has been. In 1940 during the controversy over whether the Reciprocal Trade Agreements Act should be extended, only one voter in ten knew what the law sought to accomplish. The informed one tenth approved overwhelmingly. Several months after Roosevelt and Churchill approved the Atlantic Charter, eight in ten persons had not heard of it. Only one citizen in

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ten could name the Four Freedoms. Slightly more than one half of the people thought Lend-Lease operated in reverse, but a majority of these believed that the return was "good will and cooperation", rather than substantial amounts of goods. Seven of ten Americans did not know that the Senate approved treaties by a two-thirds vote. In 1945, less than one third of the people knew that Great Britain was the mandatory Power for Palestine.

Mr. Bailey never asks whether this ignorance should not persuade him to attach little importance to the "yes's" and "no's" on questions on foreign policy. He seems, for example, to think it a sign of ignorance that, at the time of Munich, "fewer than two out of ten Americans believed that America's failure to join the League had been even partly responsible for Europe's trouble." Perhaps the theory of the two was that if the United States had had representatives in Geneva, Great Britain and France would have hesitated in their presence to welch on obligations which they had accepted and which the American Senate had rejected. But when, in 1944, fifty per cent of the people believed that the United States had been a member of the League, how could public opinion polls which included this fifty per cent—and they did—have any validity? To ask this is not to underestimate the intelligence of the American people or to suggest that public opinion should not rule. But it is to say that the answers which interviewers, strangers to the respondents, get, when they ask questions on matters about which most of those interrogated have not thought at all, may be the impromptu replies of "the man in the street" but do not measure public opinion and no historian should use them as a justification for another book.

The "man in the street" lives under "a crazy system", says Mr. Bailey. "We hold elections, and then try to guess what they mean, which is a thoroughly unscientific procedure. Until such time as we are willing to have true referenda on specific issues, we shall have to seek the truth, not in official election returns, but in unofficial public opinion polls. While the latter admittedly have their limitations, they are applied science in its purest form when compared with the present

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

kind of guesswork." If this is something more than mere rhetoric, Mr. Bailey might apply his considerable talents to framing a few questions on which he would like to have "true" and, I assume, binding referenda: the future of Germany; amendments of the United Nations Charter; the "containment" of Russia. Perhaps he can phrase the questions so as to find an alchemy that will transmute vagary into wisdom. But perhaps he cannot.

VI

A final word about a small volume which is based on a report prepared for a Committee of the Social Science Research Council and is titled *American Opinion on World Affairs in the Atomic Age*.[1] Both intensive and extensive surveys of "opinion" were made during the summer of 1946 before and after the Bikini tests, and the authors use the results of some relevant polls made by polling organizations. Intensive surveys conducted long interviews and what the respondents said is recorded verbatim. Thirty pages of the book report the replies of a 67-year-old Virginia farmer, who had not completed a grade school, read no newspaper or magazine, and had no radio, although he was able to listen to a neighbor's; a 24-year-old chemical engineer who read several magazines; and a 56-year-old skilled worker in Scranton, Pa., who read a daily newspaper but no magazines, and who owned a radio. These were chosen from 1,200 cases. The extensive surveys asked many questions, not only about the bomb—international control, whether the respondents were worried about its possible use, etc.—but on the workings of the United Nations and relations between the United States and other countries.

The areas of ignorance which the surveyors discovered were startlingly large. One third of the population was unable to give even the simplest answer to the question: "As you see it what is the main thing the United Nations organization is set up to do?" The third included "one fifth of the people who in the 1944 election exercised their right to vote." The

[1] *American Opinion on World Affairs in the Atomic Age.* By Leonard S. Cottrell, Jr., and Sylvia Eberhart. Princeton, Princeton University Press, 1948. xxi, 152 pp. $2.50.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

authors' poll, "taken at a time when the Secretary of State was very much in the international news", disclosed that "57 per cent of the people—including 48 per cent of those who had voted in the previous national election—could not give his name." Hence the conclusion must be "that the people are not informing themselves to an extent that would indicate active concern about how the international problem is to be solved."

In their comments on the tabular material which takes up more than half the book, the authors show a healthy scepticism. Indeed Mr. Bailey will think that they are slighting "applied science in its truest form." They say that "frame of mind" is a better term than "opinion" for what they are dealing with and they scout the idea that respondents who give impromptu answers to questions that strangers put to them have "assumed the responsibility" for suggesting their "solution of specific governmental problems." To the public opinion pollers this will seem a heresy of heart as well as of doctrine.

LINDSAY ROGERS

COLUMBIA UNIVERSITY

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE ANVIL OF AMERICAN FOREIGN POLICY

IN the long run, the foreign policy of the United States is responsive to public opinion. Individual governments, secretaries of state, and even ambassadors may for a time chart a course of their own; but in the end the people, through the Congress, through the press, through the ten thousand agencies of public expression represented by the churches, the trade unions, women's organizations and spontaneous public bodies that arise in every crisis, assert themselves and shape a policy that they can approve—one that is consistent with the special sense of justice and rightness so dominant in American feeling.

Whatever cynics may say of the matter, it remains true that in the United States the great political debates have always been cast in moral terms, are so cast today, and that first President Wilson and later President Roosevelt carried these same moral attitudes into the international field and made them the justifying cause for fighting two world wars against German aggression, and for attempting, after each of these bloody holocausts, to build a world order to make it impossible in the future for arrogant violence to plunge the world into war once again. What is this but the extension to the outside world of an age-old American commitment to individual freedom, and the equality of the states within the union?

These ideas and attitudes have been implicit in our foreign policy for a long time, but it was mainly as a result of the painful and disturbing impact of the Mexican Revolution of 1910 that they were to become an explicit, a formal, doctrine to be applied abroad. In fact, Americans could not have invoked another. They could speak to the world at large only in the language that they talked at home, and the requirement that our foreign policy be justified before the American people every two years at least, at every congressional election, compelled a statement of government policy in terms understandable and explainable within the realm of common experience

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and belief—liberty, justice, democracy, constitutional government, and the moral integrity of the state. No one had a right to destroy another state, or extinguish it; all of American experience was contrary to that.

So it was in the case with Mexico. In spite of the many outrages committed against United States citizens, and in spite of the loss of much American property, there was an underlying belief that the Mexican people were struggling for internal justice and order, for freedom from political oppression and economic exploitation, that, in short, they were striving for those very things which have always seemed good and right to the people of this nation, and that they would not brook the use of force by the United States to fasten upon the Mexicans a system of which they did not and could not approve. President Wilson won the battle against the pressure for intervention just because he felt that he was supporting in Mexico those things which the mass of the American people believed in, and that he was opposing abroad the very forces he was battling at home.

This was true later of President Roosevelt. Neither Wilson's nor Roosevelt's theory of American foreign policy, as applied to Mexico, can be understood outside of this ideological and moral milieu. The fact that in essence this same policy was projected toward Latin America, and later to the world at large, merely gives special meaning to the history of our relations with that country. In no small measure, the recent public doctrine of American foreign policy was hammered out on the Mexican anvil.

Time and circumstances had conspired to give Mexico and the United States markedly different configurations. It will always remain an interesting question, how two such distinct yet neighboring peoples, with so many difficulties between them, should have managed for more than a hundred years now to live in peace with each other, even if at times an uneasy peace. For if good will, national self-respect, and a reluctant tolerance—but tolerance nonetheless—can stem from two cultures so variously conditioned, there is some hope that the people of the world may learn to abide in amity.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

I

The Mexican Revolution had begun two years before Woodrow Wilson's election. The bloody palace rebellion which raised Victoriano Huerta to power occurred about three weeks before his inauguration on March 4, 1913, and, in spite of much advice, he would not recognize Huerta because he could not.

Thus President Wilson's first major international crisis was upon him before he was firmly seated in the presidential chair. He was profoundly disturbed by the dictatorship risen to power by violence and murder, and sought to promote a policy in the southern Republic more consistent with his own interpretation of American interest and tradition. To this end, he sent a personal representative to that country, John Lind, a friend of Secretary Bryan's and former governor of Minnesota, and laid his views before the Congress on August 27, 1913.

Mr. Lind was to help get Huerta out of the way and to promote peace and democracy. The civil war that had developed between Huerta and his opponents (headed by Venustiano Carranza) was to be halted, and a free election held. But Huerta, badgered and harassed on all sides, plotted a thousand schemes to keep himself in office. An unexpected event almost turned him into a heroic defender against "Yankee Imperialism", but that too failed him. The arrest of some United States sailors in Tampico seemed an incident sufficiently grave, in spite of their release with an apology, to require, in the eyes of the United States admiral in charge of American ships at that port, a formal salute of twenty-one guns. In this, the admiral was supported by President Wilson; but Huerta refused.

This seeming indifference to American pressure forced President Wilson to lay the case before Congress, explaining that force, if necessary, would be used to drive the dictator from power. That same night, April 20, 1914, Admiral Fletcher was ordered to occupy Vera Cruz to prevent a German ship from landing arms and ammunition for Huerta's army. The city was taken on the 21st, and American troops were on Mexican soil. In spite of President Wilson's pacific intentions, war

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

seemed inevitable, and the rising tension was relieved only by the offer of the Argentine, Brazil and Chile to mediate between the United States and the Mexican leaders. To Woodrow Wilson this was a welcome escape from a painful crisis, and for Huerta it was an opportunity to save face before the world. Carranza demurred, however. He was not quarreling with the United States; in fact, in his own fashion, he thought he was courting its friendship.

Before the mediating board, meeting in Niagara Falls, President Wilson laid his program for Mexico: the elimination of Huerta, and the fulfillment of those agrarian and constitutional reforms which he believed to be the root of the Mexican rebellion. The mediators, however, were not interested in the proposed reforms; Huerta's delegates were opposed to turning the government over to Carranza; and Carranza refused to have anything to do with the proposal. Let the mediators mediate between the United States and Huerta; that was a private quarrel. Huerta finally resigned on July 15, 1914 in favor of Luis de Carbajal, his Secretary of Foreign Relations. The demand for a salute to the American flag was never met.

The resignation of Huerta merely opened the floodgates to chaos. What had been a united force against him was splintered into warring factions under separate leaders, each claiming to speak for the country, each issuing manifestos, sending emissaries to the United States, printing paper money of its own, levying taxes, and imposing forced loans. The City of Mexico was occupied and abandoned repeatedly by the various military bands, each with a puppet president of its own.

In the face of a seemingly hopeless situation the State Department threatened to hold Carranza personally responsible for crimes committed against citizens of the United States. Carranza denied all the charges, cast aspersions upon the Brazilian minister representing United States interests, and protested that it was beyond diplomatic usage to hold the head of another government personally responsible for a situation which he could not control.

When no available remedy was apparent, because the leaders of the revolution seemed determined to destroy each other and

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the country as well, President Wilson announced that the United States " must presently do what it has not hitherto done or felt at liberty to do . . . to help Mexico save herself." In August 1915, he turned once again to the Latin American nations, adding Bolivia, Guatemala and Uruguay to the Argentine, Brazil and Chile, for the purpose of finding, if possible, by combined wisdom and influence some way out of what had become an intolerable situation.

The only advice that they could give was compromise, conference, mediation and agreement. Zapata and Villa accepted, and again Carranza refused. His very self-confidence gave him a more impressive character, and his seeming control over his followers held out the promise of stability. The United States, therefore, in coöperation with the conferring Latin American nations, recognized him as the *de facto* government in Mexico, on October 19, 1915.

If Carranza had the " essentials " of recognition, he did not possess the power to suppress disorder or reduce violence. His infuriated opponents turned to murder and pillage. On January 10, 1916, Pancho Villa's followers took eighteen American mining engineers, who were returning on the assurance of protection by Carranza, stripped them naked, and murdered seventeen of them in cold blood; one escaped to tell the tale. And, as if this were not enough, on March 9, Villa, at the head of four hundred followers, raided Columbus, New Mexico, set fire to the city, killed a number of residents, and escaped across the border.

Once again, war seemed inevitable. President Wilson met the storm by ordering American troops to pursue the bandits into Mexico, while Carranza played down the raid and suggested that if given similar right of pursuit into American territory, the " forces of the United States may cross into Mexican territory." This eased the tension and gave President Wilson at least momentary relief from the pressure for intervention.

Carranza soon changed his mind, however, and insisted on a formal agreement specifying the number of troops, their armament, the range of their operations, and the time they were

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to remain on Mexican soil. Wilson hastened to reassure him that pursuit of Villa was "deliberately intended to preclude the possibility of intervention." Moreover—as though the solemn declaration of the President of the United States was not sufficient—a joint congressional resolution, on March 17, asserted that the punitive expedition "shall not be permitted to encroach in any degree upon the sovereignty of Mexico, or to interfere in any manner with the domestic affairs of the Mexican people."

Carranza was in no mood to accept the assurance of the President, even when supported by the American Congress. Instead of coöperating with the American forces he made their rôle difficult and their task impossible. He refused them the use of the railroads, and, when on April 12 some American troops were attacked in Parral, he formally suggested their retirement from Mexico. Our promise to withdraw the punitive expedition as soon as its objectives were accomplished did not affect Carranza's behavior. He realized that a bending of the knee to the United States would be tantamount to political suicide.

The perennial Mexican crisis was coming to a head once again, and Carranza, recognizing that American patience was wearing thin, sought to clear himself before the world by casting aspersions upon the United States, charging it with perfidy, and calling for Latin American sympathy and support. The United States government replied to Carranza's bitter attack in a long, detailed and finely written document. It recounted the long-suffering patience of the American people, their good will toward Mexico, the aid extended to Carranza, the failure of his *de facto* government to maintain order and to protect life, and, finally, his refusal and incompetence to cure the evils which had precipitated the immediate difficulty. The note (June 20, 1916) ended by declaring that any attack on the American forces would be resisted.

The line between war and peace had grown thin indeed, and the demand for the immediate release of seventeen American soldiers, taken prisoner in a skirmish at Carrizal, seemed the final test of American forbearance. Carranza yielded, apparently at the insistence of Samuel Gompers, the president of the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

American Federation of Labor, and released the men. Once again, war was avoided without resolving the conflict, and once again resort was had to a joint commission, doomed to fail because Carranza's pride would brook no compromise.

The impasse remained unbroken. Finally, after three months of useless negotiations, on November 21, the Secretary of the Interior, Franklin K. Lane, who was chairman of the American commission, informed his Mexican colleagues that President Wilson's "patience is at an end, and that he regards present conditions in Mexico as intolerable." The American commissioners, however, recommended the withdrawal of our troops, which was accomplished by February 6, 1917. Carranza had had his way once again, and once again the United States had yielded unconditionally.

In their letter to President Wilson the American commissioners expressed the hope that after the troops had been withdrawn it might prove possible to find a diplomatic approach to the other pending problems. Their optimism, however, was damped by the proceedings of the constitutional convention, then meeting in Querétaro, which indicated a "fixed and settled purpose to place in the organic law of the Republic, provisions which tend to make the position of foreigners in Mexico intolerable, which open the door to the confiscation of legally acquired property, and which carry with them the germs of serious international friction." This proved a prophetic forecast. One phase of the Mexican diplomatic argument was drawing to a close and another was opening.

II

If the new constitution elaborated by the convention meeting in Querétaro endowed the chaos in Mexico with an outline of public policy, it also challenged older concepts of private property and made foreigners apprehensive of their investments. Secretary Lansing gave evidence of this concern early in January 1917 when he stated that the United States government could not consent to "any direct or indirect confiscation of foreign-owned property." Carranza, however, promulgated the constitution and proceeded to enforce it despite the protests of the oil companies that his fiscal and regulatory measures

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

interfered with the use and development of what was theirs under both domestic and international law. But to Carranza the companies' complaints seemed inspired by political hostility, and their refusal to abide by the laws and decrees sheer acts of rebellion to be constrained by force.

Similar difficulties arose in connection with the early agrarian legislation. State Department protests had little influence on the course of events, and its repeated arguments merely sharpened the issue at hand. It stood on the "recognized principles . . . of international respect and good neighborhood"; and insisted upon the "right of property owners to develop their properties as they may deem appropriate."

If the overthrow and murder of Carranza early in 1920 lessened the immediate strain, it did little to change Mexican policy. The bristling self-assertiveness of Carranza had embittered the relations between the two governments, but the suave and politic temper of Obregon proved equally unyielding.

The United States, however, felt that the change of government provided the occasion for reaching a settlement with Mexico by embodying in a treaty, prior to recognition, the essentials of security for previously acquired American property rights. In May 1921, therefore, Secretary Hughes submitted the draft of such a document to the Mexican government. This treaty, in Article I, contained the following:

> . . . The United Mexican States declare that neither the Mexican Constitution which went into effect on May 1, 1917, nor the Decree of January 6, 1915, to which the said Constitution refers, *is retroactive in its operation* . . . nor any Executive decree or administrative or military order, nor any Federal or state law . . . has or shall have any effect to cancel, destroy or impair any right, title or interest in any property, of whatever nature and wherever situated, which was owned in accordance with the laws of Mexico as then existing, or declared or interpreted; . . . and the United Mexican States recognize that the ownership of all substances which are described in the Code of Mines of the United Mexican States (Codigo de Minas) of 1884 and the subsequent Mexican Mining laws of 1892 and 1909, respectively, on or beneath the surface of lands in that country, are vested in American citizens . . . who acquired title to such lands prior to May 1, 1917 . . . .

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

To appreciate the gravity of the issue here raised, it needs to be recalled that foreigners owned more than 40 per cent of all the national wealth. The treaty stipulated that the Constitution of 1917 should not apply to this vast property, and that the Mexican government should agree that no legislative, administrative or military decree should "have any effect to cancel, destroy, or impair any right, title or interest in any property of whatever nature, or wherever situated. . . ."

In its own view, the Mexican government was asked to resign its powers of legislation over nearly one half of its national wealth forever, and agree to tie its hands as to the rest, because, if it could not risk impairing foreign property "of whatever nature," it could not, in effect, legislate for the remaining Mexican property. There was no way of drawing such a line, in either legislation or administration, between foreign and native claims as would not tend to "impair" previously held rights.

After two years of negotiation an agreement for a joint commission to find a compromise between the governments was finally arrived at. This commission, composed of John Barton Payne and Charles Beecher Warren for the United States, and Ramón Ross and Fernando Gonzalez Roa for Mexico, came to be known as the Bucareli Conference, and sat from May 14 to August 15, 1923.

The American commissioners accepted the Mexican principle of "positive acts"—that is, evidence of intent to develop the property as a basis for a claim to the subsoil. They also accepted the broad definition of "positive acts" given by the Mexican Supreme Court in the Texas Oil Company case in 1921, and they agreed to payment in bonds for *ejidos* of 1,775 hectares. The Mexican commissioners promised payment in cash for all other land expropriations. At the final meeting on August 15, 1923, the American commissioners, in accepting the agreement, reserved, on behalf of both the United States and its citizens, all of their rights under international law, while the Mexican commissioners made a similar reservation of all rights under Mexican law and the law of nations.

The recognition of Obregon on August 31 was followed about ten days later by the signing of the general and special

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

claims conventions covering damages from 1868 to 1910, and from 1910 to 1923, respectively. Two things are to be noted. First, the signing of the claims conventions followed recognition at the request of the government of Mexico; that was the basis of its later claim that recognition had not limited or compromised its sovereignty in any way. Secondly, it fortified Mexico's later insistence that the Bucareli Conference merely represented an exchange of views between the two governments; that, because only views were exchanged, they were personal in character, and Obregon's promises—even if they were as ample as the United States claimed them to be—did not commit any future government to follow them.

III

The friendly quiet that had settled down on relations between the two nations after the Bucareli Conference was rudely broken some two years later by an unexpected and violent denunciation of the Mexican government by Secretary of State Kellogg. On June 12, 1925, he declared that conditions in Mexico were not satisfactory, that there were rumors of an impending revolution, and that " this government will continue to support the government in Mexico only as long as it protects American lives and American rights, and complies with its international engagements and obligations."

The older theme with Carranza was now played over again. The arguments on both sides became increasingly elaborate and obdurate, taking on with each exchange of notes a growing intransigence, impelling both countries once again to that stubborn assertion of foreign rights versus native sovereignty, so fraught with the prospects of a cataclysm—a cataclysm acceptable to the genius of Mexico but so difficult on our part to precipitate. The dispute began on the regulatory agrarian and petroleum laws defining the application of Fraction 1 of Article 27 of the Constitution of 1917, submitted to the Mexican Congress late in 1925.

The theoretical and juridical difference that divided the two countries was clearly stated in the American note of July 30, 1926. The United States government is

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

> unable to acquiesce in the fundamental conception of a vested interest as evidently entertained by the Mexican government. Your Excellency has on several occasions virtually expressed property rights which are commonly regarded as vested in terms of a mere right of user or enjoyment, which might lawfully be interrupted, or wholly taken away by laws or regulations affecting its future duration, or imposing conditions upon future *enjoyment*. . . . Nor can the American government agree that the Mexican government can, on the pain of forfeiture, constitute itself the sole judge of whether a United States citizen is deprived of vested interests in the violation of the law of nations, by first forcing him to become a Mexican citizen for the property he holds.

On this theory, " American owners would thus be forced to exchange exclusive ownership for concessions of lesser scope and value, into a mere authorization to exercise rights for a limited period of time. . . . " The American note rejected the Mexican argument because " It strikes at the very root of the system of property rights which lies at the basis of all civilized society. It deprives the term ' vested ' of any real meaning by limiting it to retroactive significance. The very essence of a vested interest is that it is inviolable, and cannot be impaired, or taken away by the State save for a public purpose, and upon rendering just compensation."

The issue of retroactivity had become a tangled web of legal definition over which Mexican and American lawyers argued in thousands of pages of finely spun phrases. The Mexicans said that there was nothing new in their doctrine, that it was the law of Spain for centuries before it was embodied in the mining code issued by Charles VII in 1783, and that it had remained the law until 1884. They said that the laws passed by Diaz in the years of 1884, 1892 and 1909 were not true laws and did not mean what Americans said they meant. No government could give away the nation's patrimony. They said that Article 27 was not retroactive in so far as the subsoil was concerned because all property in Mexico from time immemorial was in the nature of a *merced*—a gift revokable at the will of the sovereign. They said that even a gift had to be accepted

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

by a "positive act", showing some special recognition on the part of the recipient before it became effective. They said that the requirement for registration and the conversion of titles to a concession was not retroactive, but rather confirmatory of the title. They said that no past government could forever bind all future governments, for social life was slowly progressive and not static.

The Mexicans argued that the exigencies of social justice and the interests of the commonwealth took precedence over private property rights: that the demands of public safety and public order could not be surrendered to the demands of a few private corporations or individuals; that a government's just obligation was to the mass of the people; and that need for the survival of the government itself could not be sacrificed, or even placed in jeopardy because some foreign or native property holders were injured in the process. Nor would they admit, even on principle, that the public power could not mold social policy because it affected private interests, and cited many precedents to that effect.

The State Department would not accede to the Mexican view. It insisted that the Conference of 1923 constituted "solemn and binding undertakings", that it saw no reason for modifying its positions and desired to be "understood as maintaining them", with the utmost emphasis, and that "an extremely critical" situation would be created between the two countries if the laws were enacted and enforced so as to violate the principles of international law. To this warning, Mexico merely reiterated what it had said before, and invited the American government to point out specific instances involving confiscation "since the Mexican government would be disposed to make indemnity for such violations."

Hitherto the dispute had dealt almost exclusively with the oil and agrarian laws. On December 20, 1926, in a conversation with Mexico's Secretary of Foreign Affairs, Ambassador Sheffield broadened the American case to embrace legislation dealing with colonization, irrigation, forestry, mining, and so on, saying that "these evidenced a uniform tendency to adversely affect" American property in all these other fields as

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

well. In reporting this conversation, our Ambassador recorded the hope expressed by the Mexican Foreign Minister that the difficulties would be settled without a "resort to force and violence", and asserted his own belief that Mexico would "yield to the firm position taken by us." But he was mistaken. President Calles refused to delay the enforcement of the law. The law, he said, was good, and the "rebellion of some of the companies" was motivated by extraneous issues.

Mexico seemed determined to exact compliance with its laws. On June 15, 1927 Arthur Schoenfeld, the United States chargé d'affaires in Mexico, reported that there had been an order to employ the army for that purpose, and that "the use of the Federal military to enforce its plainly confiscatory action would seem to constitute further aggravation of a situation which appears to be growing increasingly untenable." Ten days later, he reported that he had been informed that the Petroleum Producers Association had passed a resolution on April 27, 1927 to go on drilling in Mexico without any governmental permits, and that a number of the larger companies were then acting upon this resolution. On July 14, however, he noted that the companies had reversed their decision.

Two things had happened in the meantime. First, the Mexican Secretary of Commerce had stated that "come what may" the government would enforce the law; second, the oil companies had been advised by their Mexican lawyer that such action on their part would be considered a "conspiracy against the Mexican government." They hesitated until they were certain of what the United States would do, but they as well as the Embassy were convinced that "firm resistance by the United States government will force Mexico to find means to change its policy."

IV

President Coolidge, however, was not prepared to pursue this theme to its bitter end. Sheffield was withdrawn, and with him went all the thunder and alarms that had so disturbed the relations between the countries, and so nearly brought them face to face with intervention. Dwight W. Morrow went down to Mexico instead.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The appointment of Mr. Morrow resolved a crisis that might have led to war. That war did not come was due to the essential pacifism of the American people, their opposition to aggression, their belief that the Mexicans were trying to work out a democratic way of life and seeking justice for their common people, and that war on our part would be in defense of a small group of American interests, who, especially among the oil corporations, had managed to acquire an unsavory reputation for themselves. The best defense of Mexico, in some measure, was the advocacy of intervention by interests represented by Fall, Doheney, Sinclair, and a host of others who, with the Teapot Dome scandal, had made themselves suspect in the United States, and some of whom were later brought to trial in the American courts of justice.

The story is not as simple as this, however. The older Wilsonians, the pacifists, the labor unions, the liberal press, such as the New York *World* and Baltimore *Sun*, the Protestant church groups, and many others insisted as each crisis arose that the Mexican people must be allowed to work out their own destiny; and they won, partly because our participation in the First World War had dramatized the doctrine of the self-determination of nations and the integrity of their peoples. We could not go to war with Mexico over issues of American investment and the rights of American property holders without denying the moral commitment we had made with the world. For even the opposition to the League of Nations was framed to no small degree on grounds that it perpetuated imperialism and the enslavement of unwilling peoples to foreign masters.

It was no accident, therefore, that on January 25, 1927, at the height of the Mexican crisis, the Senate of the United States unanimously resolved that our differences with Mexico be settled by arbitration. With that resolution American policy was forced back upon an earlier track—the seeking of a peaceful rather than a military solution to our Mexican difficulties.

The appointment of Dwight W. Morrow, therefore, proved a turning point in our policy toward Mexico. His imaginative interest in the country and his genuine affection for its people

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

cleared the atmosphere of the suspicion and fear that had hung like a pall over Mexico and impeded every effort at an understanding. The Morrow incumbency is notable not so much for its achievements in solving the basic difficulties between the two countries, for these persisted beyond his day, but for a changed feeling-tone between the two nations.

Morrow went out of his way to popularize Mexico with the American people and to undo the evil effects of years of unfavorable publicity. He invited Will Rogers to Mexico to report from the scene the good that he saw; he arranged a visit by Charles Lindbergh, then the great national hero because of his solo flight to Paris; he broke all formalities and associated with the Mexicans on terms of simple equality, and built up a personal friendship with Calles through frequent and informal relations.

Mr. Morrow's greatest contribution, however, was his ability to understand the Mexicans as "people", possessed of a profound and sensitive dignity, and to treat them with a courtesy natural among equals. It proved possible in this changed atmosphere to achieve a compromise of the issues that had so long divided the two nations.

We accepted the Mexican doctrine of "positive acts", and the Mexican courts reaffirmed the broad definition of "positive acts" as laid down in the Texas Oil case in 1921, and in the Bucareli Conference of 1923. We also agreed to the contention that fee-simple ownership had to be subjected to a concession before drilling could begin, and Mexico, in its turn, agreed to issue these concessions in perpetuity. The so-called "untagged" lands upon which no "positive acts" were performed were excluded from the agreement, and the oil companies were left free to make their own arrangements with the Mexican government. Both the State Department and the Mexican government accepted this settlement as the conclusion of the long dispute. The companies demurred, but had no other recourse. A compromise was also attempted in the agrarian problem, and there was talk that land distribution to the villages ought to be terminated. Quiet at last settled down on a scene so long agitated by controversy.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The settlement was to prove a temporary abatement; for when Cardenas came to the presidency in 1934, the oil and agrarian problems reappeared in an acute form. But the Good Neighbor policy, the open friendliness of President Roosevelt, and the kindly presence of Ambassador Josephus Daniels, who endeared himself to the Mexicans by his simplicity and by his interest in their problems and needs as human beings, greatly eased the solution of the new difficulties.

The unexpected expropriation of the oil companies by Cardenas proved a severe shock to the structure of international coöperation in the Western Hemisphere which was taking shape through the inspiration of President Roosevelt and under the guiding hand of Sumner Welles, Under-Secretary of State. Mexico, which justified its expropriation on grounds of internal necessity, the rebellion of the companies, and their insult to the national dignity, agreed to pay for the properties within ten years, while the American government conceded Mexico's right of expropriation upon "adequate, effective, and prompt payment."

If President Cardenas overestimated the available resources of the Mexican people, the oil companies overestimated the readiness of the American people to shatter the developing Inter-American system, so essential to our security in an unstable world. Efforts to compromise the differences between the companies and the Mexican government failed, and the final settlement had to come through diplomatic channels.

To work out a basis of a solution for the oil crisis, the United States took up a series of other cases of expropriation in Mexico, not so charged with immediate political and emotional overtones. On April 3, 1940, the State Department noted that "during the last 25 years, one American interest after another had suffered at the hands of the Mexican government," and proposed arbitration for the outstanding agrarian claims. Mexico, declining to arbitrate, suggested a joint commission instead. This was accepted, and Mexico made a down payment of one million dollars, with the understanding that a similar amount would be made available annually until the obligation was liquidated—always providing that Mexico's ability to pay was taken into consideration.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Later a way was opened for the oil negotiations between the two governments, which began formally on January 5, 1942, and were terminated on April 17 of the same year. Agreement was facilitated by the private settlement of the Sinclair Oil interests, representing 40 per cent of the American claims, and by the overriding exigencies of the Second World War. The Mexican government would consider compensation for only "that part of the companies' justifiable investments which had not yet been recovered." This automatically raised the question of subsoil rights once again, for the companies in all of their public statements based their claims on the older laws of the Diaz régime, the Texas Oil case of 1921, the Bucareli Conference of 1923, and the Morrow Agreement of 1927. They asked for payment for the oil still in the ground.

The United States in this instance cut the Gordian knot by merely asking for "repayment of actual sums invested, less depreciation incident to their various operations." The two governments together evaluated the companies' claims at $23,000,000 and compensation was made by Mexico.

The settlement of the oil expropriations was made part of a broader agreement on pending issues between the two countries. This agreement cleared the field by lump-sum payments for the outstanding claims (upon which the general claims commissions had made but little progress), and provided for a reciprocal trade pact, the resumption of silver purchase at the pre-expropriation prices, the stabilization of the peso, and the extension of an Export-Import Bank loan for completion of the Pan-American highway.

This was soon followed by a treaty on the long-standing dispute on the distribution of the waters from the Bravo and Colorado Rivers, and by the sending of a railway mission to help Mexico with her railroads, and by many similar coöperative activities on both sides.

The feeling of amity produced by the Good Neighbor policy made it possible for Mexico to come fully and completely to the support of the United States in the war crisis. At the conference in Lima before we were in the war, and at Rio de Janeiro afterwards, Mexico proved one of the staunchest and most eloquent defenders of the United States, and one of the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

most effective advocates of hemispheric solidarity. After the attack on Pearl Harbor, she immediately broke off relations with Japan and the Axis Powers, and on May 22, 1942 declared war upon the common enemy.

Thus a serious and prolonged difference that more than once had brought the two nations to the brink of war found a peaceful solution, and President Roosevelt could send the following telegram to Avila Camacho, the President of Mexico:

> Mexico and the United States once again have given a demonstration to the world that the most difficult international problems can be satisfactorily solved when approached with good will and in a spirit of fair play. I welcome this opportunity to express to you and to the people of Mexico the very deep appreciation of my country for the active and constructive collaboration and assistance of Mexico in the cause of freedom and democracy. Our two nations are joined together in unity of purpose, determination and effective co-operation, and the triumph of our cause is certain.

V

The peaceful settlement of the grave and acrimonious differences between Mexico and the United States is a milestone in our foreign policy, and an important contribution to the developing Inter-American system. It will, therefore, always be a matter of primary interest how this happy outcome was achieved.

Among the many influences which contributed in the end to the amicable solution was the intransigence of the Mexican leaders. They would not, after 1917, yield their ground, not even at the threat of war. Carranza, as we have seen, was proud and truculent toward the United States; but beneath his bad temper and seeming ingratitude toward President Wilson, who had so greatly aided his coming to power, there was a theory of international relations. He was not merely a Mexican nationalist, he was also the advocate of a foreign policy which placed the great and small Powers on an equal footing, and his dispute with the United States was underlined by the advocacy of a philosophy of universal implications. On Sep-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tember 1, 1918, he laid these views before the Mexican Congress in four basic propositions:

> 1. All countries are equal; their laws, institutions and integrity must be mutually respected.
>
> 2. No country must intervene in the internal affairs of another in any way, or under any pretext whatsoever. All must accept the principle of nonintervention, without exception.
>
> 3. Nationals and foreigners must be equal before the state in which they find themselves; and no foreigner must make his foreign citizenship a basis for claiming special privileges and protection.
>
> 4. Legislation must be equal and uniform as far as possible except in cases affecting the sovereignty of the state.

Every Mexican government from that day to this has maintained these principles. In fact, Carranza initiated the foreign policy of the Mexican Revolution; and Obregon, Calles, Cardenas, Avila Camacho and Miguel Aleman have merely followed in his footsteps. The original Carranza insistence upon absolute freedom from intervention has remained the Mexican doctrine.

It would be difficult to overestimate the theoretical and political implications of Carranza's refusal to accept the offer of mediation by Argentina, Brazil and Chile in 1914, unless strictly confined to the issues pending between Victoriano Huerta and the United States. Carranza would brook no discussion of the internal affairs of Mexico, would listen to no suggestion of a possible presidential candidate, nor to any program of social and agrarian reform urged by President Wilson, and refused to accept from the mediators the very things the Mexicans were fighting for. Carranza's commissioners insisted that no outsider, no matter how powerful or how well-meaning, had any right to interfere in the internal affairs of their country, though weak and torn by revolution.

The principle of nonintervention could not have been more clearly asserted, nor could it have been appealed to under more dramatic circumstances. If the Wilson administration was go-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ing to deal with Carranza, it had to accept the condition of nonintervention as he defined it; and in accepting that condition, as we did, our government also accepted a precedent that was in time to become one of the cardinal principles of United States foreign policy.

A similar attitude was taken by Carranza in the matter of recognition. He preferred to govern without recognition rather than to compromise his freedom in an effort to obtain it. In 1915, when the United States called Argentina, Brazil, Chile, Bolivia, Guatemala and Uruguay into consultation on the question of the possible recognition of a Mexican government, Carranza once again would tolerate no intervention, and accept no advice. He argued that intervention, even by a group of states, would establish an undesirable precedent for the other nations in this hemisphere. When not invited to join the League of Nations, he declared that Mexico would make no attempt to enter that body until all member nations received equal treatment; for, upon Mexican principles, all states must have the same rights and obligations. He also announced that Mexico had not recognized the Monroe Doctrine as a regional policy because it attacked the sovereignty and independence of Mexico, and constituted a forced tutelage over the Latin American nations.

These same doctrines were asserted by succeeding administrations. As we have seen, Obregon would not accept recognition unless completely untrammeled by any previous limitations. Mexico refused to attend the Pan-American Conference in Santiago in 1922, because, having no ambassador in Washington, she could not be represented on the governing board of the Pan-American Union.

In 1928, at the Havana Conference, Mexico was one of the leading critics of the United States position on intervention, and carried this same battle to Montevideo in 1934. After joining the League of Nations and reasserting its opposition to the Monroe Doctrine, Mexico became a staunch defender of the inviolability of territorial integrity; she supported Ethiopia against Italian aggression, and was the only American state that actively aided the Spanish Republic. In effect, Mexican foreign policy, since the Revolution, by emphasizing the juridical

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

equality and the integrity of the small state, and by insisting upon the doctrine of nonintervention, became an important influence in the development of the Inter-American system.

VI

If Mexico developed a foreign policy fitting to her needs as a weak neighbor in conflict with a powerful one, it also stimulated the United States government to enunciate a doctrine consistent with American tradition and belief, befitting a great nation devoted to the ideals of individual liberty, representative government, and the equality of states within the nation. These two divergent streams of policy and theory, fused and solidified, became the foundation upon which the Inter-American system was ultimately to be constructed under the aegis of the Good Neighbor policy; for in spite of their different inspiration, Carranza and Wilson were saying essentially the same thing.

If the Mexican people were prepared to accept self-immolation rather than yield their dignity and national sovereignty, the people of the United States could not and would not accept the sacrificial offer. It went against the grain. *Mexican recalcitrance was taken as a moral rather than as a political challenge,* and President Wilson first, and President Roosevelt later, met the challenge by enunciating, as President Wilson himself said, the applicability of American ideals to the outside world. We would not meet Mexico's defiant attitude either by war or by intervention. A small nation had a right to order its own destiny without the threat of destruction by a powerful one.

If we have been put to the test in the case of Mexico, it has established that we will not take "advantage of any government in this hemisphere" because our "relationship with the rest of America is . . . [one] of a family of mankind devoted to the development of true constitutional liberty."

What is important in this connection is the extension first to Mexico, and then to Latin America, of a body of doctrine reflecting the commitments of the American people. President Wilson said that he "would like to believe" that in this hemisphere no government can endure that does not rest "upon the consent of the governed." "We are only emphasizing the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

points of our own life" when we detail the elements of "sympathy . . . and interest" which unite us with the people of Latin America. "We should prove ourselves untrue to our own traditions if we proved ourselves untrue friends to them." All that being true, further territorial aggrandizement becomes impossible, and "The United States will never again seek one additional foot of territory by conquest."

While this statement, made in 1913, had been anticipated by both Knox and Root, it acquired additional force by being uttered by a president of the United States under circumstances that led many people to expect and even to urge the invasion of Mexico. This self-denying pronouncement, bolstered by a theory of equality and nonintervention, led to a doctrine of territorial integrity. We find President Wilson accepting from others the idea of a treaty guaranteeing to the Latin American states their territorial possessions. He had shown interest in the idea as early as 1914. In 1916, he said, "If America is to come into her own . . . it will be . . . by the States of America uniting in guaranteeing to each other absolute political independence and territorial integrity."

Returning to this theme and recalling his earlier utterance, he expanded the original idea in a speech to a group of Mexican editors, on June 7, 1918, into a doctrine of universal import:

> The famous Monroe Doctrine was adopted without your consent, without the consent of any Central or Latin American State. . . . There was nothing in it that protected you from aggression from us. . . . Let us have a common guarantee, that all of us will sign, of political independence and territorial integrity. Let us agree that if any one of us, the United States included, violates the political independence or the territorial integrity of any of the others, all the others will jump on her. . . . That was in effect giving bonds on the part of the United States that we would enter into an arrangement by which you would be protected from us.

Thus, Wilson had projected the American ideals and aspirations, and Carranza the Mexican beliefs and hopes, into a universal doctrine. Strikingly, both were saying essentially the same thing, even if for different reasons.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

VII

The roots of Inter-American public law go back to the days of Bolivar and Monroe, to the Congress of Panama, to the beginnings of the Pan-American Union, and to the utterances of statesmen and philosophers both north and south, for these many generations. In fact, the history of both continents, in all its complexity, is the essential source of the Inter-American system. But it was the impact of the Mexican Revolution, its truculence, its vehemence, its impassioned and reckless idealism on one hand, and the equally stubborn unwillingness of the United States to deny the essentials of its own commitments to fair play—to the "continued maintenance and improvement of democracy", as President Roosevelt phrased it—on the other, that provided the occasion for fusing the various strands of doctrine into a formal policy. The path was neither easy nor obvious, and the differences seemed beyond reconciliation. But events in the world abroad impressed themselves on the conscience of the people in the Western Hemisphere, and illumined their common destiny as well as their interdependence.

While other instances of coöperation between the United States and the countries of Latin America can be pointed to, it was the willingness of the Wilson administration to accept, perhaps even solicit, the help of the Argentine, Brazil and Chile in finding a solution to the difficulties with Mexico that marks the effective beginning of a newer trend. It gave the conflict a continental character, and was so recognized by the nations in South America. It was for them the first significant evidence that the United States recognized their right to participate in the solution of problems arising between the American nations. It was more. It was an acknowledgment of the political equality of the countries to the south as well as an implicit declaration that the Monroe Doctrine was no longer to be considered a unilateral policy.

This impression was strengthened a year later when Bolivia, Guatemala and Uruguay were added to the original three states for mutual consultation, resulting in the simultaneous recognition of Carranza. Here was additional proof that the tutelary rôle over the countries of Latin America, hitherto reserved

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

for itself by the United States, was being surrendered. It is from the initial step taken by President Wilson that the Latin Americans are wont to date the beginnings of that change which ultimately led to the Good Neighbor policy, and to the gradual structuring of a system of collective security, resting upon the juridical equality of all American states.

Another milestone along the way was Mexico's refusal to participate in the Pan-American Conference in Santiago, Chile, in 1922. It would not attend because, not having an ambassador in Washington, it had no representation on the governing board that prepared the agenda for the meeting. The long debate precipitated by Mexico's absence resulted in establishing the principle that membership in the Pan-American Union was based upon inherent right (*derecho propio*), and was unrelated to recognition by the United States.

The building of the Inter-American system required additional implementation. At the center of the problem lay the question of intervention. If the Pan-American system was to develop into something more than a shadowy promise, the right of intervention would have to be eliminated from the public law of the Americas. A serious challenge to the United States was publicly voiced at the Havana meeting of the Pan-American Conference in 1928, and in spite of Hughes's defense of the right, nay, necessity, of the policy, even if only as "temporary interposition", it proved unacceptable. At best, the question could only be postponed to the next meeting, to be held at Montevideo in 1934.

The situation had, however, improved. President Hoover had withdrawn the marines from Nicaragua. Later, President Roosevelt not only had proclaimed the Good Neighbor policy, but had called together the Latin American representatives in Washington during the crisis in Cuba in 1933, and had said that there would be no intervention by the United States alone. Secretary Hull, however, who headed the American delegation to Montevideo in 1934, could not go the whole way. He accepted the doctrine of nonintervention but reserved United States rights under international law.

An important step, however, had been taken, and at the next meeting, in Buenos Aires in 1936, which President Roose-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

velt visited in person, the United States signed an agreement that "No state had a right to intervene in the internal or external affairs of another for any reason whatsoever." This was later confirmed once again in the Declaration of Lima in 1938. President Roosevelt, in speaking before the Pan-American Union on April 14, 1937, recalled his conference with the Latin American ministers in 1933 over the Cuban affair, and remarked, "Out of that first meeting have come the very remarkable, the amazing results that culminated last autumn in Buenos Aires."

Thus, at last, the position taken by both Carranza and Wilson became the formal doctrine. The essential commitment had now been made upon which the Inter-American system could be built; and when the war came, the nations like Mexico, that had most opposed the United States in previous years, were its most eloquent supporters. A sense of common identity and interest had at last been created.

The acrimonious controversy with Mexico had, it is evident, precipitated ideas that have influenced American policy, first toward Latin America, and later toward the rest of the world. These ideas included the doctrine that in "some measure" we are the guardians of "constitutional liberties" the world over; that governments must rest upon the consent of the governed; that peoples have a right to work out their own destinies; that spiritual and moral interests take preference over material ones; that the United States will not go to war in defense of American investments; that foreigners have no rights other than those of native citizens; that small states have a right to the same treatment as powerful ones; that in the American system all states are juridically equal to each other; that no state has a right to intervene in the internal or external affairs of another; that the Monroe Doctrine is a multilateral rather than a unilateral doctrine; that the recognition of new governments in this hemisphere is to be arrived at by consultation; that the territorial integrity of the American states is to be secured by collective agreement. Finally, there was the proposal of a "Confederation of American States". It was upon a background of attitude and policy saturated with these ideas that it was possible, when the world crisis was upon us, to build the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

system of collective security against external aggression at Havana in 1940, and later to implement it by treaty at Chapultepec in 1945, at Rio de Janeiro in 1947, and at Bogotá in 1948, to include the doctrine of territorial integrity and collective security against internal aggression as well.

The insistence by the United States government upon these principles—that Mexico had the right to self-determination, political integrity, equality and independence, that if we are powerful we must also be just, that the great nation has no rights in international affairs greater than those possessed by the small nation, and that force must be used only against injustice and tyranny—made it possible to carry a world-wide campaign against German aggression in two world wars. Belgium, Poland, Czechoslovakia, Manchuria and China could be defended with complete conviction both by Wilson and Roosevelt, because we had also defended Mexico against ourselves.

If the Good Neighbor policy has solidified the Inter-American system, it has done so by implementing and expanding the ideas and ideals so long cherished by the American people. The modern doctrines, seemingly so new, have roots deeply imbedded in the American conscience. In 1843, the New York State Senate adopted the following resolution:

> Resolved, that the acquisition of foreign territory, by conquest, is at war with the principles of our government; fosters a spirit adverse to the permanency of our institutions, and should receive the disapprobation of all who regard the stability of our government more than the extension of our boundaries, and the splendor of our arms.

If this seems to some a case of mere special pleading during the controversy over the extension of slavery, the following from Senator Charles Sumner, on December 1, 1870, during the debate over the annexation of Santo Domingo may prove more convincing:

> San Domingo is the earliest of that independent group destined to occupy the Caribbean Sea, toward which our duty is plain as the Ten Commandments. Kindness, beneficence, assistance, aid, help, protection, all that is implied in good neighborhood,—these we must give, freely, bountifully; but their independence is

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

> as precious to them as is ours to us, and it is placed under the safeguard of natural laws which we cannot violate with impunity.

The doctrine of the Good Neighbor is congenial to the American spirit, and with it the hope that it can be spread to the world at large. President Wilson expressed it in the following terms:

> I am proposing, as it were, that the nations should with one accord adopt the doctrine of President Monroe as the doctrine of the world: that no nation should seek to extend its polity over any other nation or people, but that every people should be left free to determine its own polity, its own way of development, unhindered, unthreatened, unafraid, the little along with the great and powerful.

President Roosevelt said:

> The twenty-one American Republics present proudly to the rest of the world a demonstration that the rule of justice and law can be substituted for the rule of force.

The Good Neighbor policy, to which our experience with Mexico has so greatly contributed, is moral and spiritual, and not merely political and economic. It stands for the old American ideal of the dignity of man and the equality of the states. It seeks to resolve the persistent conflict between the large and the small Powers by accepting a multiple universe, all the members of which were of equal juridical status, possessed of equal privileges and similar responsibilities. As Mr. Sumner Welles has expressed it: "It lightens the darkness of our anarchic world. It should constitute a cornerstone in the world structure of the future."

Significantly, also, Latin American statesmen agree. To cite but one instance, Oswaldo Aranha, former Brazilian Secretary of Foreign Affairs (1938-1946), wrote recently: "The Americas have anticipated the international organization of the future."

FRANK TANNENBAUM

COLUMBIA UNIVERSITY

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE UNITED STATES OF EUROPE

Four Approaches to the Purpose and Form of a European Federation

NEVER since the breakdown of the universal church and the universal empire has the six-hundred-year-old ideal of a united Europe been pushed closer to realization than in the last twelve months. The years 1947 and 1948 have seen at least six important developments toward a closer political and economic integration of the continent. In the Balkans, Bulgaria's Georgi Dimitroff has issued a call for a formal federation of the communist-controlled parts of the peninsula. In western Europe, the Benelux economic union has been inaugurated, a Franco-Italian customs union has been established, and the sixteen Marshall Plan nations have agreed on economic coöperation. In addition to these steps toward economic union, Foreign Secretary Bevin's call for a Western European Union has brought about the fifty-year military alliance between Britain, France, Belgium, Luxembourg and the Netherlands expressed in the Brussels Pact of March 1948. Far more significant than these official steps, however, is the fact that large minorities—and in some cases majorities—among the members of western Europe's parliaments have gone on record as favoring the formal unification of all western European states under a federal or a confederate régime.

While this weakening of the old parliamentary particularism is chiefly the result of recent efforts of the European Interparliamentary Union, the movement toward federation may be traced back to Dante's *De Monarchia* and to Pierre Dubois's attempt of 1306 to establish a permanent, continent-wide military alliance. Since then, the ideal of a united Europe has been preached by Sully, Crucé, Penn, Saint-Pierre, Rousseau and Kant as well as by Lamartine and Victor Hugo. The statesmen generally sought to create a European state in order to prevent the hegemony of a single dynasty, while the philosophers and poets asserted that only through federation could

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Europe be freed from constant warfare.[1] But these were the sentiments of relatively isolated persons; and it required an era of world wars to stimulate the development of large-scale, organized movements advocating the establishment of a united Europe. Between 1919 and 1934 a number of continent-wide groups actively campaigned for a rational economic organization of Europe, aiming specifically at the reëstablishment of free trade. Other movements emphasized the need for a political integration of the continent and found leadership in Count Coudenhove-Kalergi and his *Pan-Europa* group. Not only clamoring for the limitation of national sovereignty in Europe in order to prevent wars, but also demanding the creation of a new concert of power in order to enable Europe to present a common front toward extra-European power spheres, the *Pan-Europa* movement claimed the support of Herriot, Briand, Stresemann, Beneš, Paul Loebe, Ignaz Siepel, Dollfuss and Amery. Its constant propaganda and well-attended meetings attempted to prepare public opinion for Briand's ill-fated call for a European Union, made to the Assembly of the League of Nations in 1930. The death of Briand and Stresemann deprived the movement of official support, however, and by 1934 agitation for a united Europe had lapsed into insignificance in the face of the more immediate problems posed by Hitler and Mussolini.

During World War II, sentiment for a closer political and economic integration of Europe became evident in many of the Resistance groups, particularly among the left-wing ones, and in a very active Swiss group—the *Europa-Union*. As soon as the war ended, Europeans interested in federation once again took up the task of formulating principles, organizing movements and persuading public opinion to the need for a political organization of the continent transcending the established national frontiers. As a result, there are in Europe today hundreds of organizations, movements and publications actively working for some form of unity. Among the more prominent movements are Winston Churchill's United Europe

[1] Most of the schemes for European unity are reported in outline fashion, emphasizing structural details rather than political principles, by E. Wynner and G. Lloyd, *Searchlight on Peace Plans* (New York, 1944).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Committee, *Conseil Français pour l'Europe Unie*, which has Reynaud and Herriot among its members, *Ligue Indépendente de Coopération Européenne*, founded by Paul van Zeeland, and Coudenhove-Kalergi's *Pan-Europa* group. All but the last are unaffiliated national organizations. Another segment of federation groups, however, is coördinated in the European Union of Federalists whose more important national affiliates include the *Ligue pour les Etats-Unis d'Europe* in France, *Europa-Union* in Switzerland and Germany, *Europese Actie* in Holland, Federal Union in Britain, in addition to other groups in Belgium, Luxembourg, Italy and Denmark. Furthermore the revived Socialist International is actively working for a United States of Europe. All federalists are in contact with each other's aims through their International Coordination Committee.

Recent conferences at Montreux, Hertenstein, Amsterdam and Basel have, of course, further strengthened the movement for European federation.[2] The greatest triumph which the movement has scored to date is the acclaim with which one of the most recent conference has been greeted—that of The Hague held in May of this year. The delegates included many of Europe's most prominent political leaders. Prelates and freemasons, trade unionists and business men, in addition to scholars and cultural leaders, mingled at The Hague. But the very number and the wide scope of political and social principles represented by these men and the groups for which they speak indicate that the movement for European unity includes a great variety of aspirations with widely different approaches to the purposes and forms of a European state. A list of political leanings represented at The Hague further underlines this diversity of principles, the only common denominator of which is the will to create a united Europe. The groups represented included conservatives, Christian democrats of Protestant, Catholic and non-sectarian humanistic persuasions, liberals and free traders, social democrats and Marxists—many of whom

[2] *Cf.* also the results of the Roper Poll on popular sentiment toward a European federation which shows that a majority of those polled favor such a system. *New York Times*, May 13, 1948.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

attended the conference despite the boycott declared by western Europe's parliamentary socialist groups—federalists favoring an economic solution and federalists favoring a primarily political organization of Europe, centrally minded federalists and unionists advocating a loose confederation or alliance. In fact, as is only natural, the Communists and extreme Nationalists were the sole political groupings which failed to support the conference. To these differences in political and social principles may be added the differences in outlook dictated by divergent national foreign policies and by personal differences. It is apparent that even though the term "federation" is generally applied to the goal of these movements, a "federal" organization of Europe can mean no more than the giving up of certain sovereign powers on the part of the present states, while the remaining powers are retained by them. Even the scope and nature of the powers to be ceded cannot be specified without violating the ideas of one or more of the federal groupings.

Despite the multifarious number and nature of the groups participating in the European federation movement, four distinct approaches can be identified. The oldest of these aims at the formation of a new concert of power in Europe. It hopes to combine the existing European states in order to enable Europe to present a united front toward the rest of the world—particularly toward the Soviet Union. Its dominant principles are political rather than economic, military and strategic rather than social. It includes, among others, Coudenhove-Kalergi's *Pan-Europa* movement, Churchill's United Europe Committee and the *Conseil Français pour l'Europe Unie*. A second school of thought prefers an almost entirely economic approach. It sees in the present Europe primarily a set of irrationally competing, autarky-seeking economic units which should combine under a customs union or some other system effecting an economic rationalization of the continent. Herriot is a prominent defender of this approach, as are such free-trade organizations as *Union Economique et Douanière Européenne*. A third approach sees in a European federation not only a mechanism for economic integration but also a lever for effecting

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sweeping social and economic reforms. This group, in addition to the Socialists of the old Second International, includes a large number of Social Reformers. While the efforts of the Left tend toward a centralized European state, a fourth approach seeks the exact opposite—a complete reorganization of Europe along communal and spiritual lines. In this group are found many Christian leaders seeking a united Europe as well as many of the movements affiliated with the European Union of Federalists, particularly the Swiss *Europa-Union*, the French and the Italian member organizations.

In the light of these divisions on principles, the resolutions of the Hague conference are doubly interesting. They reflect the area of thought in which a universal sentiment overshadows the differences in outlook while at the same time indicating—through omission or vague wording—the areas of thought in which the existence of basic differences has prevented the emergence of a unified program. There is basic agreement on four significant points: that Europe constitutes a cultural and spiritual unity rather than a set of diverse civilizations, that the federation must seek to preserve the basic human freedoms, that a segment of national sovereignty must be abandoned in order to achieve social betterment and political security, and that economic nationalism must be abolished. The resolutions assert that

> European Union is no longer a Utopian idea but has become a necessity, and that it can only be established on a lasting basis if it is founded upon a genuine and living unity. . . .This true unity. . .is to be found in the common heritage of Christian and other spiritual and cultural values and our common loyalty to the fundamental rights of man, especially freedom of thought and expression.[3]

For the further spreading of these common ideals, the conference agreed to establish a cultural information center and educational center for Europe's youth.

[3] All quotations from the text of the resolutions voted by the conference are taken from *Congress of Europe, Resolutions*, published by the International Committee of the Movements for European Unity; also *cf. Die Friedenswarte*, vol. 48, No. 3, pp. 178-182.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

In the realm of political freedom the conference decided that the European federation should be open to all European peoples "democratically governed and which undertake to respect a Charter of Human Rights" which is to be agreed to by all interested governments prior to the organization of the new state. The conference further agreed to establish a European Supreme Court in which any European individual or group can demand the observation of basic human rights on the part of national governments. Human rights and "democratic government" are defined as guaranteeing to the citizens "in fact as well as in law. . .liberty of thought, assembly and expression, as well as the right to form a political opposition."

After declaring the United States of Europe to be founded on a common cultural heritage and on a common insistence on basic political freedoms, the delegates further agreed that "the time has come when the European nations must transfer and merge some portion of their sovereign rights so as to secure common political and economic action for the integration and proper development of their common resources." And as the first concrete step toward the establishment of the United States of Europe the conference decided to call for the creation of a European parliament whose membership is to be selected either by the national legislatures or directly by the people. But the sole functions assigned to this parliament consist of creating a unity-minded public opinion, of deciding on further political and economic steps toward union and of examining legal problems arising in connection with a federation.

It is only in the economic and social field that the conference went somewhat beyond these general recommendations. Removal of tariffs, unification of currencies, rationalization of industrial production and research, and common economic planning are advocated. Instead of endorsing either laissez faire or Marxist economics the delegates decided that "the exigencies of modern economic development must be reconciled with the integrity of human personality" and that the "ultimate and sole aim of every economic activity. . .is to ensure that all shall enjoy better conditions of life, both material and cultural." Based on these social requirements the only accept-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

able economic organization of Europe is one which eliminates economic nationalism and recognizes the necessity for some measure of common economic planning.

While these resolutions undoubtedly reflect the primary needs of European society—the preservation of Western civilization and of political democracy, political security and the creation of higher standards of living—they constitute no more than the minimum area of agreement between the various federalist schools of thought. The resolutions leave unanswered the question as to what the primary function of the new state is to be. Are the United States of Europe to represent the "third force" which is to mediate between the United States and the Soviet Union or are they to form a "third force" merely to create a major world Power of their own? Is the new state to concern itself with the introduction of the spiritual revival advocated by Christian leaders or is it to further the establishment of Marxist socialism? The organization of the economy—so intimately related to the social ends of the new state—is almost completely neglected except for the admission that profits do not constitute an end in themselves. The system of government to be adopted is left open and the conference even avoided the use of the term "federal" for fear of alienating the delegates in favor of a confederate organization. The definition of "democracy" adopted by the conference is too vague to permit the judging of prospective members. And finally the rôle of the individual and of the community—as opposed to the state—received only cursory attention. What the functions of communal organizations, of political parties, of labor unions, of religious groupings and of all the constituents of the multi-group society are to be is left open. But while the conference as a whole was unable to go on record on these matters, each of the four federalist approaches presents detailed and often dogmatic political, social and economic principles which are to govern the form and functions of the United States of Europe.

What, then, are the functions which the various groups of federalists want to assign to their united Europe? These func-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tions range from the minimum suggested by the Hague resolutions to the maximum of making the establishment of socialism or of a revived Christian ethic concomitant to the creation of a European state. The approach which considers the necessity for a solidarity of political power in Europe as the prime function of a federation comes closest to representing the minimum demand.[4] The keynote of this group's idea is stated by Coudenhove-Kalergi:

> It would still be possible for Europe to participate in the partition of the earth. . .through timely federation. While Europe is breaking up, it must sink to complete loss of political influence, until one day, after losing its colonies, in debt, bankrupt and impoverished, it will succumb to Russian invasion.[5]

These federalists also call for a federal court to adjudicate disputes between member states, for a customs union, for specific protection of minorities and for the nurturing and preservation of Western culture against the onslaught of communism. Their main emphasis, however, is on "a European confederation with mutual guarantees of equal rights, security and independence" and "a European military alliance with a common air force to secure peace"[6] and to prevent Soviet hegemony. The powers of the confederation would thus be confined to the formulation and execution of foreign policy, defense, tariff policy—though this is not uniformly pressed—and limited jurisdiction over taxation and currency. Force may be used against recalcitrant member states, but such a war will be a "policing action, undertaken solely to uphold the public law and to protect its members from acts of aggression."[7]

[4] For works dealing with ideas on the solidarity of power see: Richard N. Coudenhove-Kalergi, *Pan-Europa* (Vienna, 1923), *Kommen die Vereinigten Staaten von Europa?* (Glarus, 1938), and *Crusade for Pan-Europe* (New York, 1943); Lord Davies, *A Federated Europe* (London, 1940); also the Fulton, Mo., and Zurich speeches of Winston Churchill.

[5] Coudenhove-Kalergi, *Pan-Europa*, p. 24 (my translation).

[6] Coudenhove-Kalergi, *Kommen die Vereinigten Staaten von Europa?*, p. 48.

[7] Lord Davies, *op. cit.*, p. 75.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Quite different are the functions which the Economic Rationalists want to assign to the central European authority.[8] Some members of this group see a complete return to free trade as a panacea for all of Europe's ills and predict universal well-being, high standards of living, limitation of armaments and peaceful foreign policies, if only tariff barriers could be eliminated. The free traders thus see no need for an elaborate federal mechanism, and their "union" is little more than multilateral agreements to abolish tariffs. Others, however, who also emphasize the economic approach to Europe's problems see in free competition a prime evil. Thus Edouard Herriot argues that, since modern society is strongly characterized by the trend toward greater concentration of activity by single bodies, private and public, and by the degree of specialization which each of these bodies acquires, the organization of economies on a competing and duplicating level is an anomaly which defies the dictates of universal well-being. Hence the prime function of a European union would be the elimination of economic nationalism and of the desire to achieve national autarky. For this end, bodies approximating the contemporary public international unions would be created, with the power to regulate the phases of economic life under their jurisdiction. Action, however, would be taken through the existing governments rather than directly. A customs union, of course, is part of this approach but the creation of a federal state or even of a confederation is not necessarily implied.

The Left's approach to the functions of the United States of Europe is determined primarily by socialist and social democratic thinking. Beyond this common denominator, however, the left-wing federalists break down into several more ideological subgroups. Thus the British Labor party's federal thinkers, and a significant segment of the French Socialists, advocate a socialist United States of Europe whose

[8] For works dealing with this approach see: Edouard Herriot, *The United States of Europe* (New York, 1930); Alfred M. Bingham, *The United States of Europe* (New York, 1940); and *United States of Europe*, a report issued in 1930 by the Cobden Memorial Association, the Europäische Zollverein, the Union Douanière Européenne, the Ligue du Libre Echange and others; also Barbara Ward, *The West at Bay* (London, 1948).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

major function is the creation of a truly independent "third force" designed to keep both the United States and the Soviet Union out of Europe's economy. Another segment of the French Socialist party, however, would make a European federation primarily a link between the capitalist West and the communist East. This group favors the admission of eastern European states to the federation. Still another group of Socialists favors the federation of Europe but wants to effect socialism first and federation second, while a fourth group wants to reverse the procedure. Finally there are many Social Reformers who hope that the central régime will bring about social democracy, but who do not base their analysis of Europe's ills on Marxist principles.[9]

All of the left-wing groups, however, agree with Prime Minister Spaak's dictum that the answer to communism is socialism and not a return to capitalism. The federation is to be the medium for realizing a continent-wide planned economy, for leveling social classes and for establishing basic economic rights. The federal government may reach into every sphere of the economy, even to the extent of granting financial aid to member states in order to establish uniform standards of living in the entire federation. Its jurisdiction is to encompass not only defense and foreign affairs but also public health, immigration, radio broadcasting, banking of all kinds, currency and tariff control, labor relations, all aspects of industrial and commercial life, in addition to marriage and divorce and all phases of social security. Even some of the Social Reformers insist that the government be given specific powers to own and operate any industry it selects. The functions of the state, in summary, are those of the contemporary social service state,

[9] For the third force directed against capitalism as well as communism see a manifesto signed by leading French intellectuals, including Sartre, in *Politics*, Winter Issue, 1948, pp. 34-36; for Socialist federalism designed to bridge the gap between East and West see *Unite or Perish*, Report of the International Socialist Conference on European Federation (London, 1947); the "federation first" principle is advocated by the Labour M.P. R. W. G. Mackay in *Federal Europe* (London, 1940) while the "socialism first" idea is defended by G. D. H. Cole in *Europe, Russia and the Future* (New York, 1942); social democratic ideas are set forth by W. Ivor Jennings in *A Federation for Western Europe* (New York, 1940) and by Abraham Weinfeld in *Toward a United States of Europe* (Washington, 1942).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

which the orthodox Socialists deduce from Marxism while federalists like Jennings and Weinfeld reach identical conclusions on the basis of social democratic theory. These groups see the need for a much more extensive state structure than that advocated either by the proponents of the solidarity of power or by the adherents of economic rationalization.

As might be expected, the communal and Christian federalists take strong exception to the Left's materialistic approach and, more particularly, to the implication of a strong, bureaucratic federal régime.[10] The reassertion of communal rights is held to be essential in checking the growth of the leviathan state; and, since spiritual values alone can fashion an ethical state, Christian principles must form an integral part of the federation's structure. Hence the Communalists would go considerably beyond the recommendations of The Hague in safeguarding the spiritual and physical rights of the individual and the small commune, whose preservation they consider the main function of the European federation. By contrast, however, they are far from guaranteeing the existing rights of member states. Respect for communal rights is part of a great devotion to the small state which affords the most desirable form of democracy—direct participation of the citizen in policy-making and administration.

This atomistic view of society, however, is not carried to the extreme of advocating complete individualism. On the contrary, the Communalists favor a strong share of communal collectivism, common local action through communally organized government. They are led to federalism as the logical mechanism for combining the rights of the commune with the demands of modern, geographically undifferentiated society. Since they realize the complexity of this large society, they equip the federal state with a wide range of powers including

[10] For literature on communal and Christian federalism see: Hans Bauer and H. G. Ritzel, *Kampf um Europa* (Zurich, 1945); *Europa*, monthly journal of the Europa-Union; *Fédération*, monthly journal of the Centre d'Etudes Institutionnelles and Equipes d'Action Fédérale, Paris. These organizations base their ideas on the "*fédéralisme*" of Proudhon which seeks to limit state power through a communally and functionally organized society; see N. Bourgeois, *Les Théories du droit international chez Proudhon* (Paris, 1927), and J. Hennessy and J. Charles Brun, *Le Principe fédératif* (Paris, 1940).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

not only defense, foreign affairs, the maintenance of internal order, immigration and the arbitration of disputes between member states, but also the guaranteeing of a minimum standard of living and social security. But local autonomy, under this approach, cannot be combined with a centrally administered economy; hence the federal state is to provide only the peaceful framework in which the natural development of communes and corporate bodies can proceed without external interference.

Collectively these four approaches to the proper functions of the European federation constitute an admission of the principle of "unity in diversity". Cultural diversity, far from being destroyed, is to be protected by the system of political and economic security to be offered through federation. Yet the four conceptions of the European state imply important differences in the relationship which is to exist between the state on one hand and the community and the individual on the other. Federalist opinion is united in insisting on respect for human rights and the prevalence of democracy. This, however, neither defines democracy nor makes clear whether a democratic federation must necessarily consist of democratic member states. Even if democracy is described as offering no more than the control of the government through the majority opinion prevalent in the community forming the state, the application of this definition to a European federation encounters three major obstacles—the dominance of the multi-group society which prevents the formulation of a clearly defined community feeling, the existence of national minorities who tend to feel oppressed regardless of the jurisdiction under which they live, and the continuation of much of the widespread and easily excitable nationalism which divides the peoples of Europe.

European federalists firmly believe that federation is the only mechanism by means of which these cleavages can be bridged simultaneously; but they differ profoundly on the methods to be used. While the majority among them believe that simple democracy, functioning through absolute majority decisions in elections and legislatures, is an adequate mechanism, a minor-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ity urges the adoption of corporate and functional democratic bodies to aid in expressing the will of social, national and economic groups.

Thus the approaches favoring the solidarity of power and economic rationalization aim at the formation of a universal European Union. Hence they tend to define democracy with sufficient flexibility to permit the admission of states whose communities have little or no voice in the conduct of the government. Although recently agreeing to the formulation of a charter on basic human rights, they formerly ignored the standing of the individual and of the community in favor of an all-embracing membership in the federation. At any rate, the powers of the central authority are sufficiently restricted to perpetuate the degree of community and individual freedom now in existence in the member states. Furthermore any action decided upon by the federal authorities could be translated into collective action only through the adhesion of the national governments, thus again strengthening the rôle of existing groups in the community.

The left-wing supporters of federation, of course, emphasize quite different aspects of community and individual rights. They are unanimous in insisting on a strict definition of democracy in judging the qualifications of prospective member states, and would exclude such states as Portugal and Spain. Only a small minority favors the admission of eastern European countries if these fail to subscribe to the convention on human rights decided upon at The Hague. In addition a charter of extensive economic rights—employment, health insurance, social security, minimum wages, maximum hours, labor organizations and the right to strike—forms an essential part of socialist plans. But since the acceptance of socialism is made dependent on the free opinion of the European electorate, democracy is a *sine qua non* for socialist federation ideas.

Since the Socialists envisage a far more powerful central régime than the other federalists, they are compelled to devote special attention to preserving local rights and ideas, in order to avoid a revival of particularism. One device employed is the delegation of enumerated powers to the federal state, while

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the member states retain the unspecified residuum. A far more significant principle, however, is that of local administrative autonomy advocated by many of the left-wingers. Under this system, the federal authorities would lay down the general requirements of a specific law and permit local governments to work out detailed administrative rules suiting specific local needs. Local bodies, furthermore, are accorded the right of selecting the officials who administer federal law, so that a Belgian public health official, for instance, could not administer a federal immunization law in Norway.

The Communalists wholly endorse the principle of administrative autonomy in preserving community control over federal administration, and also insist that only truly democratic nations be admitted to the federation. Nevertheless, they take greater pains to define community and individual rights than any of the other federalists. The European community, instead of being conceived as a conglomeration of social, religious, national and economic groups, is regarded primarily as a large number of quasi-independent geographical communes. This, however, by no means implies that the rights of the individual person are submerged in those of his native village or town or canton. On the contrary, respect for human individuality is found in the teachings of Christ, which form an integral part of this approach to federation. Hence any communal form of organization exists solely for the purpose of aiding man; man does not exist in order to serve the commune, geographical or functional. Therefore it is the duty of the state to protect freedom within all geographical communes in addition to granting functional organizations in the community a large rôle in operating the government. But, since the Communalists hold that the social pressure of the community is sufficient to bring about individual moral conduct, the state must be prohibited from enforcing ethical standards. To make such community pressure possible, freedom of political, intellectual and religious expression must be guaranteed through public policy. In addition protection of the family unit and the supervision of education become key duties of the federal state, if morality is to be inculcated rather than enforced.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The *Europa-Union* expresses its attitude toward education in these terms:

> The postulates—freedom of conscience and belief, freedom for scientific research, the duty of the federation to guarantee all its members training commensurate with their ability, the creation of academies to further humanistic-religious philosophy—these are all self-evident facts which we are compelled to recognize if our basic convictions are truly democratic.[11]

The Communalists thus consider the official teaching of ethics and religion as one of the primary functions of the federation.

Federalist thought on the rôle of social classes varies widely. On one extreme, the Socialists hold that political power is a function of economic power, and if the political dominance of the " possessing " social classes is to be abolished, the wide differences in economic power must be eradicated. A leveling of social classes is therefore an important part of left-wing federalist thinking. At the other extreme we find the Communalists who reject this materialistic analysis, but nevertheless favor many of the social reforms advocated by the Left. Communalistic emphasis, however, is placed on the rôle of functional groups and communes rather than on social classes. Persons of widely different incomes and social standing living in the same community are thought to have more in common than people of the same social class living in separated localities. Hence the problem of social classes is one of minor concern to the communal federalists.

Less extreme ground is occupied by the groups favoring economic rationalization and the solidarity of power. They are composed essentially of political conservatives and free-trade liberals who desire little change in the present social stratification. Since their plans for a European federation give the central régime no direct powers over either economic or social questions, their aim must be that of preserving the existing distribution of social and economic power.

While opinion on the rôle of the federation in dealing with social groups varies widely, federal opinion with respect to national groups is quite uniform. All are in hearty agreement

[11] Bauer and Ritzel, *op. cit.*, p. 161 (my translation), and also *Kulturelle Leitsätze eines europäischen Bundes*, a pamphlet published by the Europa-Union.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

with the Hague pronouncement favoring toleration of national cultural development. The Hague resolution on national groups in the federation, more particularly, defines the attitude of the Economic Rationalists. Since the federal régime under their approach would lack powers to interfere in the cultural or language policy of any of the constituent states, their attitude is that of preserving the status quo and of working toward a weakening of nationalism through the establishment of a European committee on intellectual relations, akin to the one decided upon at The Hague. Some of the Socialists and Social Democrats want to augment this minimalist approach with the formulation of a new series of minority treaties—similar to the ones in effect under the League of Nations—in order to protect the national minorities living within member states of a different, dominant national group. This, essentially, is also the attitude of the Communalists, some of whom would give the federal Supreme Court jurisdiction to protect the rights of national minorities.

Only two schemes for the federation of Europe go considerably beyond these ideas. Thus Coudenhove-Kalergi asserts that even though "each nation is a sacred and venerable entity as a rallying point of culture, as a point of crystallization of morality and progress",[12] cultural nationalism is a menace to the European federation which must be actively combated by the federal state. He proposes the abolition of the identity between state and nation and predicts that "the concept of *Staatsvolk* will be outlived as was the concept of a state church and will give way to the principle of a free nation in a free state."[13] While Coudenhove-Kalergi would thus weaken existing national sentiment through federal policy, Abraham Weinfeld has suggested a scheme for strengthening and protecting the rôle of national minorities. He proposes that all national minorities, for example the Hungarians in Rumania, should form corporations able to sue and be sued, receive financial grants and lobby in the federal parliament. The mores,

[12] Coudenhove-Kalergi, *Pan-Europa*, p. 142.

[13] *Ibid.* p. 147. See also Bingham, *op. cit.*, who postulates that there should be as little relation between state and national boundaries as there is between the boundaries of the American states and Federal Reserve district (p. 99).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

religious laws and customs peculiar to the minority are to be under the sole rule of the corporation, which in turn is to be protected by federal law. The corporation, furthermore, would be the sole official representative of the minority vis-à-vis local, state and federal authorities. This procedure, somewhat reminiscent of the legal standing of the Christian minorities in the Ottoman Empire, provides an entirely new principle for the public relations between a community and its national minorities, a standing which would be likely to make such minorities a permanent feature in European society.

The problem of national groupings and their standing in the federation raises the question of political parties. Do the federalists prefer that parties follow national lines or economic or social lines? The answer is complicated by the fact that the basic issue of communal power, as against the power of the central authority, comes to the fore once more in the treatment of political parties. But if society is regarded as split into social classes which represent the economic rôle and power of the individuals composing them, the conclusion is inevitable that the parties which will struggle for control of the federal parliament will follow economic lines. Hence the common European pattern of a Socialist-Labor party, a Liberal party and a Conservative group would be copied in the federal régime. This, indeed, is the attitude of the left-wing federalists who desire the emergence of this type of party structure, even though they admit that initially parties will probably follow along national lines. The Economic Rationalists, as well as the proponents of the solidarity of power, present no opinions on the rôle and type of parties desirable since the weak nature of the central régime will obviate the necessity of a general European party structure.

The communal conception of the European state, on the other hand, tends to gloss over the existence of separate social classes and similarly considers national groups less important than the interests of the federating communes. Though some of the Christian leaders would advocate the carrying over of religiously oriented party groupings into the federal parliament, the Swiss *Europa-Union,* by contrast, believes that a general

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

feeling of European unity will develop which will limit the particularism of existing national groups, while a corporate system of economic organization will render socially oriented party blocs unnecessary. All the communal theorists, however, overlook the striking fact that geographical proximity no longer marks the unifying political bond among the electorate. Dairymen in Bern, in Denmark, in Eire and in Holland are more likely to have the same political interests than steelworkers, clothing manufacturers and streetcar conductors living in the same community. Even if the traditions of close association among neighbors, regardless of their social standing and economic pursuits, should at first overshadow the rôle of economic interest in the federal legislature, the introduction of the first tariff bill is likely to mark a strong change in this attitude.

While the importance of economic interest in the formation of parties is emphasized—and exaggerated—only by the Socialists and Social Reformers, the economic organization of the federation is a matter of deep concern to almost all federalist groups. That the principle of laissez faire and of unchecked individualism in economic enterprise no longer plays a significant rôle in any federalist approach was indicated by the Hague resolution affirming that the organization of the economy is much more closely linked to effecting social democracy than to the realization of profits. Yet despite the unanimity of feeling on this basic principle, the four approaches to European federation exhibit wide differences in their economic thinking, some favoring a largely free-enterprise system, others a collectivist economy and still others a mixed economy. In addition there is the cleavage between those desiring an economy patterned on corporate principles and the groups thinking more in terms of direct state socialism.

The economic approach of the group seeking a solidarity of European power is distinctly favorable to a free-enterprise economy; but a very thorough change in the structure of a united Europe is advocated by the Economic Rationalists. They reject laissez faire and favor a more scientific division of labor on a continent-wide scale, in addition to opposing Fabian

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

as well as Marxist socialism. A mixed economy is proposed as the best method of achieving the economic integration of the continent without resort to the abolition of the price-profit system, provided that this system can be purged of nationalistic elements. And the mechanism for eliminating economic nationalism lies in the wide use of cartels. Once these bodies are subjected to regulation, they may be used for allocation of capital, labor, industrial equipment and the distribution of goods, while serving as an instrument of planning at the same time. The cartel has the additional virtue of fitting into all the types of governmental and social systems which these federalists hope to unite. Economic rationalization is to be rounded out with a common European currency and central banking mechanism, coördinated investment policy and centralized control over foreign trade. Private collective institutions representing labor, capital and consumers, rather than governmental legislation, are to assure the fairness of the cartel. Some form of corporate organization of economic interests is thus essential. Collectivism is the key to the entire system, but it is not collectivism through state ownership of the means of production.[14]

Outright ownership or control of the means of production on the part of the federal state, however, is the overtone in the federation plans of the Left. G. D. H. Cole, for instance, makes the adoption of the British Labor party's version of socialism the basic condition for the organization of a European state, and continental Socialists often advocate an even more orthodox application of Marxist economic principles than do the British. The Social Reformers, on the other hand, are less radical. While making possible the realization of socialism in the new state through corresponding distribution of federal and member-state powers, they do not consider the victory of socialism a condition for establishing a European federation.[15]

A fourth—and radically different—approach is offered by the communal federalists. They insist that such purely materialistic analyses of human behavior as those of the Socialists

[14] See particularly Herriot, *op. cit.*, and Bingham, *op. cit.*

[15] *Cf.* the constitution presented in Jennings, *op. cit.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and the Economic Rationalists ignore man's spiritual aspects which are reflected even in his efforts to make a living. While admitting that the advent of political democracy has not been accompanied by economic democracy, the way for bringing the two into line does not lie in the realm of collectivism or statism. Hence man, not production, capital or consumption, is the keystone of the economy; and man's spiritual needs should govern the organization of the federation's economic life. Just as in the political realm individual moral behavior is to be brought about by instilling a feeling of group responsibility in each person, a parallel feeling of mutual sympathy and coöperation is to pervade the economy. Functional associations would be present at every level of production, and consultation between these bodies would be continual. The *Europa-Union* suggests that, at its highest level, the economy be represented by its own parliament which would co-exist with the political legislature. Every member of the economy, including consumers, would elect delegates to the economic council. In addition, a system of economic courts would round out the complete autonomy of the economy within the state. Federal legislation in economic matters would thus be obviated since the resolutions of these distinct economic bodies would carry the force of law.[16] At the same time, however, the Communalists, in their desire for social reform, condition this type of economic organization on the economy's guaranteeing its workers fair wages, decent living standards even during periods of depression, social security, maximum hours, and the prevalence of just prices. While property rights are recognized unconditionally by the state, these economic guarantees are to be financed and administered by the autonomous economy. The principle that the state must abdicate the desire to control the economic life of the federation is basic to this approach.

In the light of these clashing principles—on the functions of the federation, on the rights of the community and the individual, on social, national and political groupings, and on the economy—how do the federalist groups envisage the form of

[16] *Die Zukunft der europäischen Wirtschaft, Leitsätze der Europa-Union;* also Bauer and Ritzel, *op. cit.*, and *Rapport du Premier Congrès Annuel de U. E. F.* (Geneva, 1947).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

government of the United States of Europe? The primary cleavage here is one between the advocates of a strict federation, in which sovereignty would inhere in the central structure, and the devotees of confederation or union who would leave most sovereign powers with the member states and would deny the central authority of direct access to the citizen. A further problem is raised with respect to the form of democratic government to be adopted: the cabinet, the presidential or the collegiate system. And finally a good deal of disagreement exists on the number and types of legislative bodies required in the federation.

The simplest approach is that of the economically minded group of Europeans which conceives a European union in terms of supervised cartels and free trade. Aristide Briand, a supporter of this approach, emphasized that a United States of Europe should tend toward "union" more than toward "unity" and declared that "in no case and in no degree may the formation of the Federal Union desired by the European Governments affect in any way any of the sovereign rights of states which are members of such an association."[17] The present exponents of this theory of federation still do not envisage the creation of a European government and intend to accomplish economic rationalization by means of a series of international administrative bodies which are to work through the existing national governments. Strictly speaking, therefore, there can be no question of creating a new state, and consequently a government cannot come into existence. Herriot spoke of the formation of a European "moral personality" but insisted also that there exists no need for a federal legislature since the program of economic rationalization could be achieved through coördinated national policies. The proponents of the concert of power go only little beyond this approach. The minimalists among them are satisfied with the present western European five-Power arrangements while the maximalists call for the creation of a definite confederation with a form of government patterned after that of Switzerland

[17] *International Conciliation*, No. 265, p. 111. This issue and a Special Bulletin of June 1930 deal with Briand's appeal for a European Union.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

in its collegiate composition, but not enjoying the sphere of powers possessed by the government in Bern.

The Left and the Communalists are one in advocating a strict federation whose law is superior to the law of the member states and whose sphere of activities transcends that of the confederation envisaged by Coudenhove-Kalergi. Here the similarity ends, however, since the communal theory of federation calls for the creation of special governmental institutions considered superfluous by the Socialists and Social Reformers. In general, the left-wing federalists propose the carrying over of the parliamentary system of government into the federation. The executive is a committee of the legislature, responsible to it and able to dissolve it. The wide quasi-judicial and quasi-legislative powers necessitated by the economic and social functions of the federation will be lodged in the federal executive. The judiciary is also part of the executive, which, however, leaves unimpaired the independence of court decisions from the wishes of the cabinet. Thus neither a separation of powers nor a system of checks and balances is in evidence. There can be no question but that the federal government alone is truly sovereign, since Jennings, for instance, gives the president of the federation power to veto member-state legislation; and Mackay labels federal powers "sovereign", while member-state powers are merely "functional". In both plans, the president lacks real political power while the cabinet and the prime minister enjoy much the same authority as they do in the British system. The president is elected by the legislature which is bicameral in most left-wing plans, but unicameral in Mackay's plan. He argues that the upper house, while intended to represent the interests of the member states as distinct entities, in fact never does so since voting in it follows the same party lines as in the lower house. The left-wing federalists, then, are unanimous in equipping the central authority with ample administrative bodies and with making the executive the strongest segment of the European government.

In the communal approaches to the federation's government, emphasis is once more thrown on the Swiss collegiate system. No single head of state is to exist, since the federal council

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

elected by the bicameral federal legislature acts as the executive. In addition, the members of the federal judiciary are elected by the federal legislature. The executive is equipped with less administrative power than its counterpart in the federation plans of the Socialists. Public administration, furthermore, is to be supervised closely by a parliamentary committee, so that the executive is far from enjoying a free hand. It must be remembered, however, that this federal framework is entirely dependent on the activities of functional and communal bodies. The distinct system of economic courts, with the economic parliament in which the components of Europe's economy are represented in corporate fashion, is master of the entire economic realm and thus deprives the federal political structure of much of its customary sphere of power. The same situation is true in respect of cultural matters, in which the federal parliament and executive are compelled to enforce the decisions of an academic parliament. In addition, the Communalists insist that the commune have a strong hand in public administration so that the execution of federal law will rest largely in the hands of local corporate bodies. The tendency of constantly growing state power—the chief fear of the Communalists—is to be blocked by means of these devices.

It is clear that whichever system of government is finally adopted by an emerging European federation, the creation of a federal legislature based on popular, continent-wide suffrage is not yet in sight. This was demonstrated by the overwhelming defeat administered to just this proposal, made by Paul Reynaud, at the Hague conference. The way toward a European unity, in which sovereignty will inhere predominantly in the central authority, will apparently proceed through military alliance and economic integration to confederation, and then on to final full federation. The conclusion of the Brussels Pact seems to mark the first step in that direction.

ERNST B. HAAS

NEW YORK CITY

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

GREECE AND THE UNITED NATIONS

THE Greek question, which has preoccupied the new international organization practically since its establishment, has presented the United Nations with a case typical of the issues which that body was designed to handle. The relatively small size of the contesting forces, and their distance from the main centers of international power, marked the Greek question as an appropriate one for settlement under the provisions of the new Charter. The apparent similarity of this controversy to the Greek-Bulgarian conflict of 1925, which the League of Nations handled so successfully, served as a challenge to the new organization. Moreover, the fact that the Security Council made use for the first time of the authority granted to it under Article 34 of the Charter to send a commission of investigation to make an on-the-spot inquiry has tended to give the Greek case a special significance as an example of the results which could be obtained with the new peace machinery.

This question was brought to the attention of the United Nations by the Greek government itself in December 1946, when it sought the assistance of the Security Council in restraining Greece's three northern neighbors from aiding the guerrillas in Greece. This was not the first time that the Security Council had been asked to do something about Greece. In January 1946, the Soviet delegate had charged that the presence of British troops in Greece constituted a threat to the peace. After the members of the Security Council had listened to an acrimonious debate, they decided to take note of the views expressed without recommending any action.[1] Seven months later the delegate of the Ukrainian S.S.R. complained that conditions tolerated by the Greek government were responsible

[1] United Nations, *Journal of the Security Council*, sessions of February 1, 4, 5, and 6, 1946.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

for incidents along the northern Greek frontier. When the American delegate proposed that the facts be investigated, however, the proposal was vetoed by the Soviet Union.[2]

The Greek appeal in December 1946 finally led to action on the part of the Security Council; for it was recognized that Greece was one of the more important arenas in the struggle of the victorious Powers for political influence in post-war Europe. During the war, Great Britain, the United States and the Soviet Union had been able to agree on a division of zones of military operations which left Greece in the Mediterranean Theater under British supervision. With the termination of the war, the controversy between the Communist-led EAM (National Liberation Front) and the Greek government-in-exile, which had hitherto been limited to secondary political and strategic issues, rapidly became fraught with international implications. The refusal of the Soviet government to participate in the supervision of the elections held on March 31, 1946, was merely an early indication of the firm stand which Russia was soon to take in support of the EAM guerrillas. The British on the other hand, at first with little sympathy from the American government but before long with its full support, threw their full weight behind the Greek government. They helped turn the tide against the EAM in the civil war of December and January 1944-45, and assisted in the maintenance of economic stability and political order during the ensuing two years.

II

The struggle for Greece between the Soviet and Anglo-American blocs, while not yet as official and public as it was soon to become, had thus reached a fairly advanced stage when Greece appealed to the United Nations in December 1946. The Greek government brought its case to the attention of the Security Council under Articles 34 and 35 (par. 1) of the Charter, and in the course of the ensuing debate the United States delegation renewed its proposal of the previous September that the Security Council, before it tried to reach a deci-

[2] Security Council, *Official Records*, First Year, Second Series. The Greek question occupied fourteen meetings of the Security Council between August 28 and September 20, 1946.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sion, should exercise the authority granted to it in the Charter to send a commission to investigate the facts. The language of the initial American resolution instructed the commission "to ascertain the facts relating to the alleged border violations along the frontier between Greece on the one hand and Albania, Bulgaria and Yugoslavia on the other," thus indicating the desire of the United States delegate to limit the investigation to actual violations of the Greek frontier by the three northern neighbors. This scope of investigation was too narrow to be acceptable to the Slavic members of the Security Council, however, and in order to save the resolution the task of the commission was broadened in the final text to include an investigation not only of "the facts" but also of "the causes and nature of the above-mentioned border violations and disturbances."

With its task defined in this manner, which opened the door to a study of internal Greek affairs, the first Security Council commission of investigation was established on December 19, 1946. The resolution further provided that the commission should be composed of representatives of each of the members of the Security Council as constituted in 1947, and that representatives of the four interested Balkan governments should be invited to assist in its work. Since Albania and Bulgaria were not members of the United Nations, they were required to submit pledges that they would accept the obligations of members for the purposes of the case. The motives of the Soviet delegate in accepting a commission of investigation even in this modified form are not entirely clear. Acceptance of a commission may have been regarded as a necessary concession to public opinion, or perhaps it was thought that the investigation might contribute to the weakening of the Greek government.[3]

The commission started work in Athens on January 30, 1947, submitted its report to the Security Council on June 27, and held its last meeting in New York on July 23. During this period it held ninety-one meetings, of which seventy-three took

[3] Security Council, *Official Records*, First Year, Second Series. The Greek question occupied six sessions of the Security Council between December 10 and December 19, 1946.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

place in the Balkans and fourteen in Geneva, where the report was prepared. The commission spent approximately one month each in Athens and Salonika, three days each in Sofia and Belgrade, and six weeks in Geneva. While in the Balkans, it made 33 field investigations, listened to 32 statements by representatives of nongovernmental organizations, questioned 238 witnesses and received over 3,000 communications from various interested parties. This task was administered by an overworked staff of twenty-seven provided by the United Nations Secretariat. Some eight or ten languages had to be translated back and forth, full records had to be kept of all phases of the commission's work, and its members had to be housed, fed and transported. What the principal secretary of the United Nations staff referred to as his "paper mill" ground out a total of some 20,000 pages of minutes and documents. At Geneva this mass was distilled to a report of some 250 pages, not counting the annexes and miscellaneous material which brought it up to 767 pages.[4]

The commission was faced with too large a task to permit of a thorough investigation if it worked as a single body. In the course of its work it therefore sent out a total of seven investigating teams, which went out into the four corners of the Balkans to investigate incidents and interview witnesses on the spot. At the end of April, while it was in Geneva, the commission was authorized by the Security Council to establish a subsidiary group, with headquarters at Salonika, to investigate such incidents as might have occurred since the departure of the commission a month earlier. In addition to these subordinate investigatory bodies, the commission also found it necessary to create committees to assist it in the organization of its work. Thus, early in the work of the commission, a committee of experts was appointed to screen the petitions which were beginning to pour in. In Salonika this committee was enlarged, creating in the process its own subcommittee, and took over

[4] The organization and procedures of the commission of investigation have been reviewed in detail by Mr. Harry N. Howard in three articles in the Department of State *Bulletin*, reprinted with ten annexes in a pamphlet entitled *The United Nations and the Problem of Greece*, Department of State Publication 2909, Near Eastern Series 9 (Washington, 1947).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

most of the work of preparing the agenda and planning the travels of the commission. When it came to writing the report, drafting committees were also formed.

More important than the machinery of the commission was the political atmosphere in which it worked. The division between the Soviet and the Western points of view was evident from the start and, by and large, was maintained until the end. In most of the important issues raised before the commission, the Soviet Union and Poland were lined up on one side against Australia, Belgium, Brazil, China, Colombia, France, Syria, the United Kingdom and the United States. The work of the commission was made possible only by the fact that, since it had been instructed " to elucidate the causes and nature " of the frontier disturbances, a working agreement was possible whereby the Soviet bloc pressed the investigation of Greek domestic political conditions while the Western bloc took the initiative in bringing out the evidence against Greece's three northern neighbors.

It was the Soviet thesis that the " causes and nature " of the frontier disturbances lay in the allegedly unrepresentative character and reactionary policies of the " monarcho-fascist " Greek government, and that the trouble along the northern Greek frontier was no more than a reflection of the disturbances all over Greece. The Soviet delegate therefore pressed vigorously for limiting the work of the commission to Greece itself and for giving the fullest possible hearing to the case of the EAM against the Greek government. He also tended to dismiss the testimony of the Greek government's witnesses as given under compulsion and hence unreliable. The Western point of view was of course quite different. It held that all relevant evidence as to the frontier violations both in Greece and in the three northern countries should be examined, keeping in mind always the important distinction between aid to the guerrillas and traditional frontier violations of an essentially nonpolitical character. It held also that the credibility of all witnesses should be judged on the basis of customary rules of evidence.

That the commission was able to accomplish anything at all under these circumstances was the result of a series of com-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

promises reached between the Western and Soviet points of view. Within Greece, the commission heard evidence as to both the frontier violations and the domestic policies of the Greek government. Sixteen of the 33 field investigations were made on the proposal of the Soviet bloc, and some 126 of the 238 witnesses examined were selected at its suggestion. The representatives of the EAM, however, were given no special privileges, and the commission agreed to hear their guerrilla chieftain Markos Vafiades only as an ordinary witness. This latter compromise failed to materialize since " General " Markos, as he was known, eluded the commission team sent out at his request to interrogate him. This nevertheless did not prevent him from conveying to the commission the bulky evidence against the Greek government which it was his mission to present to it. Finally, the commission made token three-day visits to Bulgaria and Yugoslavia.

By virtue of these compromises the commission not only survived but succeeded in conducting two investigations and in writing two sets of conclusions, one along Soviet and the other along Western lines. Thus, the Soviet bloc was able to conduct a vigorous propaganda campaign against the Greek government, while at the same time a sufficient amount of evidence was collected concerning the frontier violations to convince the Western bloc in the United Nations of the reality of Greece's plight. Under these circumstances it was not surprising that the divisions over the Greek question which were apparent in the Security Council in 1946, and were thus perpetuated in its commission of investigation, should have reappeared unchanged when the Security Council discussed the question in the summer of 1947.

III

The report which the commission of investigation submitted to the Security Council on June 27, 1947, was of interest chiefly for its conclusions and its proposals.[5] The majority conclusions represented the views of the Australian, Belgian, Brazilian, Chinese, Colombian, Syrian, British and American delegates.

[5] Reprinted as Annex 3 in *The United Nations and the Problem of Greece.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Of these, the Belgian and Colombian added a brief statement to the effect that in their view, since the commission had been established " in the spirit of conciliation of Chapter VI of the Charter," it was not for it " to give any decision as to the possible responsibility of the Albanian, Bulgarian and Yugoslav Governments." The French delegate abstained from approving these conclusions on the grounds that they would hinder rather than assist it in its task of conciliating the dispute in question, and that the evidence accumulated had not been either sufficiently juridical in method or adequately broad in scope to warrant conclusions in the form agreed to by the majority of eight. He believed rather that a report which analyzed the evidence and suggested proposals, but did not reach conclusions apportioning responsibility, would be more likely to accomplish the purposes of the commission which he regarded as primarily conciliatory. The Soviet and Polish delegates submitted jointly minority conclusions.

The majority conclusions gave substantial support to the original charges of Greece against its three northern neighbors, and they are fully as valid today as they were when written in the spring of 1947. So far as assistance on the part of the three countries to the guerrillas in Greece was concerned, the commission majority found that it was taking the form of recruiting and training Greek refugees, supplying them with arms, supplies, transportation, guides and hospitalization, and assisting them in crossing the frontier to and from Greece. The evidence regarding training camps applied particularly to Yugoslavia and Albania, but the other forms of aid were given to a greater or lesser degree by all three countries. It was this question that had been the central subject of the commission's investigation from the Western point of view, and the eight-member majority reached unequivocal conclusions based on a large volume of evidence.

A somewhat different form of aggression against Greece is represented by the movement, which the majority conclusions found to be supported by the Yugoslav and Bulgarian governments, " looking towards the detachment of the province of Macedonia from Greece and its incorporation together with

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Bulgarian and Yugoslav Macedonia into the Federative People's Republic of Yugoslavia." Although the Slavic population of Greek Macedonia is somewhat under 100,000 out of a total of about a million and a half, Greece's Slavic neighbors had found it possible to combine the national grievances of this minority with the political aspirations of the EAM and thus to create a strong geographical base for the activities of the latter. The use of the Macedonian question as a means of exercising pressure on the Greek government thus resembled the situation in Azerbaijan.

While the interest of the majority lay primarily in investigating the charges of Greece against its three northern neighbors, it did not ignore the materials submitted by the latter regarding the responsibilities of the Greek government itself. It paid tribute to the relative political freedom which it had found in Greece, but also took note of the evidence which indicated that Greek officials were persecuting opposition political groups. This persecution, in the words of the majority conclusions, " was said to have taken the form of large scale arrests, of imprisonment or exile, beatings and other brutalities and the burning of houses as a punitive measure." In many ways more directly connected with the guerrilla activity than this political discrimination, were the " retaliatory excesses " against the small Slav-speaking and Chamuriot minorities in northern Greece which, in the view of the commission majority, had taken place immediately after the liberation of Greece. While thus conceding a degree of Greek responsibility for the disturbed conditions in northern Greece, the majority report took care to point out that this circumstance " in no way relieves the three Northern neighbors of their duty under international law to prevent and suppress subversive activity on their territory aimed against another government, nor does it relieve them of direct responsibility for their support of the Greek guerrillas."

A considerable amount of evidence was also reviewed by the commission which helped to explain the intensity of feeling which had developed between Greece and its three neighbors. Numerous minor frontier violations had occurred, involving losses of property as well as of life, which did not appear to

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

be connected with the aid to the guerrillas and which involved the nationals but not the governments of the four countries concerned. In a similar category are the official territorial claims of Greece against Albania and Bulgaria and of the latter against Greece. These claims antedate the guerrilla warfare and are connected with it only indirectly. As official territorial claims, in contrast to the covert Bulgarian and Yugoslav claim to Greek Macedonia, they have only a distant relationship to the guerrilla activity and were considered to lie beyond the scope of the commission's investigation. The majority conclusions merely noted that such claims " tended to increase the tension between the countries."

The Soviet-Polish conclusions were somewhat longer than those of the majority. They were devoted mainly to pointing out discrepancies in the testimony and evidence presented to the commission in support of the Greek case and, by pointing up evidence supplied by the EAM and by Markos Vafiades at the expense of the testimony of the witnesses presented by the Greek government, demonstrating that the Greek charges were " unfounded " and " completely groundless ". As regards the Macedonian question, the minority conclusions asserted that much of the evidence presented by the Greeks was " falsified " and that the testimony of the witnesses was " extremely confused and contradictory ". All things considered, the summary of the Soviet case against the domestic policy of the Greek government was rather restrained, although nonetheless quite unequivocal. It served as the basis for the conclusion of the minority " that the tense situation and civil war are the result of internal causes and, above all, of the persecution and terrorism carried on against the democratically minded citizens and national minorities by the gendarmerie, regular troops and Rightist bands, and that the assertions of the Greek Government regarding the alleged interference of Albania, Bulgaria and Yugoslavia in the internal affairs of Greece are absolutely unfounded."

The final task of the commission consisted of elaborating the proposals which the Security Council had invited it to make.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The proposals drawn up by the majority were twofold in purpose: to facilitate the reëstablishment of normal relations between Greece and its three northern neighbors, and to exercise a stabilizing influence on the area by providing machinery for the investigation of future frontier incidents and violations. In fulfillment of the former purpose it was recommended that the four governments abstain from provocative actions, take the initiative in regulating and controlling their common frontier, establish more satisfactory procedures for the handling of political and other refugees crossing the frontier in both directions, and study the practicability of arranging for the voluntary transfer of minorities. It also suggested that future cases of support of armed bands in this area be considered as a threat to peace within the meaning of the Charter. For the investigation of frontier violations, the establishment of a new body was recommended. This organ of the Security Council would be established for a two-year period during which it would have the right to move freely in the four countries concerned, with the function of looking into all frontier complaints and also of assisting the interested governments in setting up their own frontier arrangements. In a brief statement, the Soviet and Polish delegates objected to these proposals on the grounds that they were irrelevant to what they regarded as the real source of the trouble, namely the domestic policies of the Greek government.

IV

The report of the commission of investigation was officially submitted to the Security Council on June 27, 1947, and the Greek question remained on its agenda until September 15. By that time all efforts to find a solution upon which the permanent members could agree had been exhausted. Ten days later the United States delegation introduced a resolution on the Greek case in the General Assembly, and after less than a month's discussion that body agreed to the establishment of the special commission proposed by the United States.

Throughout these debates the members of the United Nations were guided not only by the rather technical report of the Security Council's commission of investigation but also by the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

political situation as it was developing from day to day in Greece itself. Ever since its formation in the spring of 1946, the conservative coalition government headed by the Populist party had slowly been losing ground to the guerrillas. Although it had a good working majority in the National Assembly chosen in the first free elections in ten years, the government did not have the vigorous support of the mass of loyal and non-Communist Greeks which the crisis required. The elections of March 31, 1946, supervised by British, American and French experts, had been held at a time when public opinion was still dominated by recollections of the civil war of 1944-45 and fear of the Slavs from the north. The result was a parliamentary majority which reflected more a temporary panic of anti-Communist sentiment than a stable working majority of democratic Greeks. This weakness on the part of the government was reflected in its ineffectual measures in dealing with the EAM guerrillas, and in the precarious existence which it maintained with the aid of UNRRA and the British government. In all this the rôle of King George was greatly exaggerated by the critics of the government. In the plebiscite of September 1, 1946, he received a modest majority as a symbol of Greece's Western orientation, and after his return he took no more than a nominal part in the affairs of government. Upon his death in April 1947, he was succeeded by his brother Paul.

In contrast to the meager efforts of the government, the EAM more than maintained its own through 1947. With some ten thousand guerrillas operating principally in the central and northern provinces of Thessally, Macedonia and Thrace, and with indispensable operational bases safely located north of the frontier, they could maintain wide areas in terror with their sudden and destructive raids. Although the efforts of the Communists to dominate the Greek government had failed in 1944, conditions were now in many respects more favorable for their efforts. The consolidation of the Communist governments in Albania, Bulgaria and Yugoslavia made assistance more readily available, and Russia was no longer bound by the requirements of coalition warfare to respect the Greek government. Throughout the summer and fall of 1947 vigorous

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

guerrilla activity continued, and to this developing military campaign the EAM now added a political program. On June 27 the Greek Communist secretary general Porphyrogenis announced in a speech to French Communists in Strasbourg that his party was prepared to establish a Free Greek Government in northern Greece unless it could make a satisfactory deal with the Athens régime. After renewed threats and warnings such a government was finally established on December 23 under the leadership of Markos Vafiades, the guerrilla chieftain. The way was now open for large-scale assistance and even recognition on the part of the three northern neighbors.[6]

While Greece had fallen within the British strategic zone during the war, economic considerations led the United States to take over the British responsibilities in the spring of 1947. The termination of UNRRA in March 1947, and the decision of the British government that it could no longer continue its aid to the Greek government, made it clear to all that unless assistance were provided the Greek government from other sources it would soon come under Communist domination. If this took place, it would mark the first retreat by the United States and Great Britain from the line established at the end of the war to divide the Soviet zone of influence and the Western—the line now popularly known in the West as the Iron Curtain. The momentous American decision was announced by President Truman on March 12, in a message to the Congress which outlined the reasons why such an extension of Soviet influence was believed to be inimical to the best interests of the United States. In implementation of this decision, economic assistance was projected to take the place of the aid which Greece had been receiving from UNRRA and the British government.[7]

The American policy called not only for economic aid but also for international action to force the discontinuance of the

[6] The situation in Greece during 1947 is well described in the *Report on the Greeks* (New York, 1948), prepared by the Twentieth Century Fund team composed of Frank Smothers, William H. McNeill and Elizabeth D. McNeill.

[7] The President's message and other relevant documents are available in *Aid to Greece and Turkey: A Collection of State Papers*, published as a supplement to the Department of State *Bulletin*, XVI, 409A (May 4, 1947).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

support being given to the EAM guerrillas by Greece's three northern neighbors. It was in this spirit that on June 27 the United States delegate to the Security Council proposed a resolution under Chapter VI of the Charter, which provides for the pacific settlement of disputes. As finally amended, the American proposal included three principal measures for the protection of Greece. The first was a firm appeal to the four countries concerned to establish normal relations and by negotiations to reach agreements on frontier controls, refugees and minorities. In addition, a new commission was to be set up to investigate immediately and report on any new frontier incidents. Finally, in case investigation indicated that violations of the frontier were continuing, the sanctions authorized to the Security Council under Chapter VII in cases involving breaches of the peace were to be called into action.

After a long and bitter debate, the American resolution was finally vetoed by the Soviet Union on July 29. The Soviet point of view had already been expressed in an alternate resolution, introduced on July 8, which placed the responsibility for the frontier incidents on Greece alone and proposed a friendly settlement among the four interested countries of frontier, refugee and minority questions along lines somewhat similar to those in the American resolution, but without the frontier commission. The Soviet resolution also recommended the withdrawal of all foreign military personnel from Greece and supervision by the Security Council of all foreign economic assistance extended to Greece. This resolution was defeated by a majority of nine on August 4. In the course of subsequent sessions of the Council a number of variants and compromises were suggested, but to no avail. When, at the initiative of the United States delegate, the Greek question was transferred from the Security Council to the General Assembly, it was without any expectation that a solution could be found on which the members of the two rival blocs could agree.

While it was never stated with complete objectivity in the United Nations debates, the Soviet attitude on the Greek case was clear enough in its broad outlines. Looked at in its most favorable light, the Soviet point of view could be explained

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

as due to fear lest Greece, among other countries in a similar position, become a base for aggression against Russia. Such an interpretation would maintain that for the post-war years of reconstruction and industrialization, the security of the Soviet Union required a bulwark of friendly buffer states and that Greece represented a gap in this structure. If examined against the background of Marxist and Leninist doctrine, on the other hand, the Soviet attitude on the Greek question could also be regarded as part of a larger effort to extend Soviet influence into Europe and the Near East. In this view Greece would represent a springboard rather than a buffer. The familiar Communist approach which calls for turning "imperialist wars" and "wars of national liberation" into "revolutionary wars" is particularly relevant to the Greek case when seen in this light.

V

By bringing the Greek question before the General Assembly, the Western Powers succeeded in obtaining positive action, although they were not able to win the coöperation of the Soviet bloc. By a vote of forty to six, with eleven abstentions, the General Assembly adopted a resolution on October 21, 1947, containing most of the provisions which had been vetoed by the Soviet Union in the Security Council three months earlier. Under this resolution, Greece's three northern neighbors were called upon "to do nothing which could furnish aid and assistance" to the Greek guerrillas, and all four Balkan states were urged "to co-operate in the settlement of their disputes by peaceful means." To assist in the implementation of these recommendations, the resolution established a Special Committee which was to have its headquarters in Salonika. The Soviet Union and Poland having announced that they would not take part in the work of the new body, it was composed of nine representatives of the Western bloc. It was this Special Committee which reported to the General Assembly when it met in Paris in September 1948.[8]

[8] The text of the General Assembly resolution and other relevant materials are contained in the *Report of the United Nations Special Committee on the Balkans*, General Assembly, *Official Records*, Third Session, Supplement No. 8 (A/574; June 1948).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The situation in Greece itself changed considerably during the year which elapsed between the establishment of the Special Committee and the submission of its first report. The chief factors in this change were the American aid program and the political divisions which broke out among Greece's three northern neighbors. The American aid program, approved by Congress in May 1947, carried an appropriation of $300,000,000 for Greece. By September an American mission of over two hundred members had been established in Greece, and reconstruction was pushed rapidly in the fields of transportation, agriculture and health. Assistance was also extended to the Greek government in the regulation of foreign trade, the administration of relief, the improvement of labor-management relations, and the reorganization of government administration and public finance.

While relief and reconstruction were the principal objectives of American aid, it soon became necessary to devote an ever larger share of the assistance to the campaign against the guerrillas. Taking up the challenge of the Truman Doctrine, the guerrillas increased their efforts in an attempt to disrupt reconstruction. This attempt failed, but in late 1947 it came very near to succeeding. The guerrillas doubled in number and multiplied their raids from the central mountain ranges of Greece. When the Greek army finally defeated the large body of some 10,000 guerrillas under Markos Vafiades in the region of the Grammos Mountains in the summer of 1948, it still had another 15,000 to deal with in other parts of Greece. In dealing with the guerrillas, the Greek government was greatly aided by the controversies which broke out among Albania, Bulgaria and Yugoslavia. As late as November 1947, with the conclusion of the Varna Pact between Bulgaria and Yugoslavia, the relations of the three Soviet satellities had been very close. Preparations were being made for a federal arrangement binding the three Balkan states, and the victory of the Greek guerrillas played an important part in their plans. But during the winter of 1947-48, close coöperation turned into open antagonism. In January the Kremlin threw cold water on the federal movement. New controversies over the disposition of Macedonia arose during the spring between Yugoslav and Bulgarian

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

nationalists who had hoped to create a unified Macedonian state within the framework of the Soviet bloc. Finally, in June, the Cominform published its formal charges against Tito for his failure to conform to Soviet requirements. Yugoslavia was now forced to devote its entire attention to its relations with the other members of the Soviet bloc, and the Greek guerrillas no longer received the coördinated assistance and support which had been such an important source of strength in the past.

Throughout this last phase, the United Nations Special Committee on the Balkans kept in close touch with the situation. Military experts from the committee visited the region near the Albanian border in December 1947, and after January regular observation groups were stationed along the entire northern Greek frontier. On the basis of its observations up to the middle of June, the Special Committee reported that the Greek guerrillas had received war materials and other supplies from Albania, Bulgaria and Yugoslavia, and had also been allowed the use of their territory for tactical operations. The report stated that Greece's three northern neighbors also gave moral support to the guerrillas through radio stations on their territory and by the organization of aid committees. The Special Committee found in addition that the three Soviet satellites had given refuge to an undetermined number of children removed from northern Greece either forcibly or with the consent of their parents. The General Assembly had apparently expected that the principal task of the Special Committee would be to facilitate the peaceful settlement of the disputes between Greece and its three neighbors, but in this it had no success. The governments of Albania, Bulgaria and Yugoslavia refused to coöperate with the work of the Special Committee. No diplomatic relations exist between Greece and Albania and Bulgaria, while the relations between Greece and Yugoslavia are only nominal. In the face of this situation, there were few constructive recommendations that the Special Committee could make, beyond urging that it be kept in existence in a modified form as long as the disturbed conditions on the Greek frontier continued. The report also recommended

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

that the General Assembly "consider ways and means of obtaining the co-operation of Albania, Bulgaria and Yugoslavia with the Special Committee." [9]

VI

It is clear that the United Nations is faced with a situation far more complex than that which confronted the League of Nations in the Greek-Bulgarian conflict of 1925. While Greece is in a sense far from the centers of international power, it is nevertheless located at a point where two main lines of power meet. Moreover, both the Soviet and the Western groups are taking various measures which lie outside the framework of the United Nations and which were in fact initiated before the establishment of the new international organization.

The support given to the Greek guerrillas by the Communist régimes in Albania, Bulgaria and Yugoslavia was at its height a major element of Soviet policy in this region. While a sizable body of the guerrillas under Markos Vafiades has been defeated by the Greek army, there is still every reason to believe that the guerrillas will continue to exert a steady pressure on the Greek government. Further evidence of the tenacity of Soviet policy in this area is provided by the constant stream of propaganda against the Greek government issuing from the recently formed Communist Information Bureau and from other sources. The Western Powers have also been active on their own account. British troops entered Greece by arrangement with the Greek government at the time of liberation, and they have been an important factor in keeping it in power. Economic assistance from the British and from UNRRA until the middle of 1947, and since then the American aid program, have likewise exerted a direct and powerful influence in support of the Western point of view in Greece.

Yet despite its late arrival on the scene, and the extensive programs which are being carried out both in Greece and to the north without its participation, the United Nations is playing a significant rôle with regard to Greece. Not only has the Greek question come up for consideration in the Security Coun-

[9] See especially the conclusions and recommendations of the *Report*, pp. 27-28.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

cil and the General Assembly, but both of the rival groups have been careful to avoid going too far beyond the limits imposed on independent action by the United Nations Charter. Moreover, the Special Committee on the Balkans established by the General Assembly in October 1947 gives the United Nations a continuing rôle in the developments of events in Greece. The lesson of the Greek case is one which is rapidly being learned as the international organization gains in experience. It is that the authority of the United Nations resides only in the agreement and coöperation of the great Powers. Until such agreement is reached it must remain a weak institution, for its authority can come from no other source. In the case of Greece the disagreement between the Soviet and the Western blocs is indeed extensive, but it is by no means complete. Neither the Soviet Union nor its Balkan satellites have carried their policy to the point of breaking off relations with the Greek government and recognizing a guerrilla "republic". This nominal recognition of the status quo in Greece on the part of both contending groups is the small area of agreement into which the prestige and influence of the United Nations have been inserted. Starting from this narrow beach head it is proceeding slowly in its dual rôle of frontier observer and conciliator. The influence of the United Nations in the Greek question is not yet a dominant one, but it has been established on firm ground. To the extent that the great Powers are eventually able to resolve their differences, it is to the United Nations that they will gradually transfer the initiative and responsibilities which they acquired in the course of the recent war.

C. E. BLACK

PRINCETON UNIVERSITY

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE FIASCO OF DENAZIFICATION IN GERMANY

THAT denazification has not been a success in Germany is today admitted by the serious students of the problem. "Failure of denazification", however, means exactly the opposite to two groups of interpreters. One group condemns denazification, not because it has failed to eliminate the Nazis from influence and control over German public life but, on the contrary, because of "the extreme to which denazification has gone."[1] It is alleged that German recovery has been put in jeopardy.[2]

A detailed analysis of available facts and figures reveals the fictitious character of the assertions of this group and substantiates what a second group of observers claims to be true, namely, that denazification, which began with a bang, has since died with a whimper, that it opened the way toward renewed control of German public, social, economic and cultural life by forces which only partially and temporarily had been deprived of the influence they had exerted under the Nazi régime.[3]

[1] Lewis H. Brown, *A Report on Germany* (New York, 1947), p. 37.

[2] This group is responsible not only for such popular studies as that by Louis Lochner in *Reader's Digest* (July 1948), but also for such serious analyses as the book quoted above or Gustav Stolper's *German Realities* (New York), 1948).

[3] In the following pages denazification in the American zone of occupation only will be analyzed. As to the Soviet zone, it might be claimed that denazification has been a success, in the sense of the second group referred to above, since it was used to eliminate social groups like big land owners and industrialists, i.e., groups which to a large extent had been responsible for the access of Nazism to power, and whose continued power might conceivably facilitate seizure of power by a neo-Nazism in the future. However the wholesale political use to which denazification in that zone has been perverted precludes it from being considered genuine denazification in the sense originally understood by at least the Western partners of the anti-Hitler alliance. As to the other Western occupation zones, denazification has been so much more superficial, disorganized and haphazard that whatever failure can be shown for the United States zone, with its much more concentrated effort and much more comprehensive procedures, can safely be assumed to apply to these zones. Some of the individual cases adduced in the following pages will, however, be taken from the British zone.

LICENSED UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

In order to judge facts and figures correctly, it must be remembered from the outset that denazification constituted a somewhat revolutionary approach to occupation policies, made necessary by the unusual nature of the defeated régime. If the war was to result in the defeat, not only of Germany as a power but of Nazism as a system, the traditional "law and order" principle of military occupation, with its regard for the bulk of the laws and institutions of the occupied country, was of no avail. Since Germans had failed to overthrow the Nazi system by their own force, the victors had to assume the task of seeing to it that Nazi organizations were dissolved, Nazi institutions destroyed, Nazi laws abrogated, and Nazis themselves eliminated from positions of power or influence. This they proclaimed as their aim at Potsdam, where they agreed upon removal "from public and semi-public office and from positions of responsibility in important private undertakings" of all Nazis who had been more than nominal members of the party or were participants in its activities.

Clearly, however, such a program was to meet with tremendous difficulties, not only of a technical nature (ferreting out of large numbers of persons from numerous positions) but also of a political nature. What Military Government[4] was expected to achieve was a revolution by legal means. Since Germans had not achieved such a revolution, since Nazis, therefore, could still rely on those influences, controls and institutions that had traditionally assisted them, and since MG had to reckon with resistance from those Americans (at home as well as in Germany) who disliked the denazification venture, mostly for socio-economic reasons, it was clear from the beginning that the program could succeed only if MG devoted the utmost energy to the pursuance of its denazification policies, and if it was ready to back to the hilt those Germans subsequently entrusted with the larger part of the execution of the program.

First Stage: Direct Military Government Control

Throughout the first year of occupation American MG handled denazification directly. While certain categories of Nazis, held to be particularly dangerous, were arrested and put

[4] Hereafter referred to as MG.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

into internment camps, other categories—rather mechanically defined according to previous rank or position in the Nazi party, in its organizations, or in government and administration—were dismissed from office. Likewise subject to dismissal or detention were certain groups of people who under the Nazi régime had been prominent in the economic, cultural and similar fields. MG Law No. 8, dealing with the economic sphere, provided for employment prohibitions and blocking of property of top-level industrialists and managers.

This program, on the whole, resulted in a fairly comprehensive purge of the administration and other fields. The main criticism—to a large extent justified—against the procedures involved was that the standards were over-mechanical. Persons who had played an important rôle under the Nazis could escape the purge because, for one reason or another, they did not fall in one of the categories. On the other hand there were large numbers of minor or merely nominal Nazis who, because they happened to have occupied a certain rank or position, would be deprived of job and livelihood.

Second Stage: The Law for Liberation

Early in 1946 MG, faced with criticism of this kind, decided to transfer the major responsibility for denazification to German authorities who would operate on the basis of their own legislation and with their own legal and administrative staffs. The Law for Liberation from National Socialism and Militarism was issued on March 5, 1946.[5] It provided for very flexible and, on the whole, fair standards and categories[6] and called for varied sanctions. Verdicts rendered under the law were to replace the measures taken previously by MG. Local boards,

[5] Details of this law cannot be discussed in the framework of this article. Some of its more doubtful provisions, such as the temporary employment prohibition for "activists", to which category everybody who joined the Nazi party before May 1, 1937 was presumed to belong, were inserted over German objections upon MG insistence. *Cf.* Richard Schmid, "Denazification—A German Critique", *American Perspective*, October 1948, pp. 231 *et seq.*

[6] As appeared later, one of the main shortcomings of the law was that it tried to categorize every inhabitant of the zone, thus providing those intent on sabotaging the law with a ready weapon. The main categories were: Nazi activists (Major Offenders, Class I, and Offenders, Class II), probationers (Lesser Offenders, Class III), Followers (*Mitläufer*, Class IV); those exonerated were put into Class V.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

appeal tribunals and denazification ministries began to operate in the American zone in the summer of 1946 under procedures guaranteeing the essentials of the rule of law.

The high expectations inspired by the adoption of the new procedures were soon to be discounted. Because of the large number of persons to be tried, and because proceedings took place in local communities, the hearings and trials were frequently characterized by intimidation or even terrorism on the part of Nazis and Nazi sympathizers. Board members and prosecutors (all laymen) were put under pressure either to refuse such positions or to act with leniency; witnesses for the prosecution could not be found or were ostracised; those for the defense were numerous. Thorough investigation of the individual case was thus hampered. Prosecutors were inclined to base the indictment mechanically on what the accused put into his questionnaire, the boards were inclined to accept whatever extenuating circumstances were brought forward and to downgrade the majority of the more seriously indicted to the Follower category, which had to pay a fine (generally small [7]) but was otherwise free from sanctions.[8] Statistics revealed that only a small percentage of those indicted as Major Offenders and Offenders were so classified by the boards.[9]

By the end of November 1946 MG Special Branches, reviewing German tribunal findings, learned that less than 20 per cent of the persons MG had previously found "non-employable" as major Nazis had been placed in categories with employment prohibitions, while the remainder had been classified as "Followers" or had been exonerated.[10] It was to be expected that

[7] Again overriding German objections, MG had insisted that the fines be limited to a maximum of 2,000 RM. *Cf.* Schmid, *loc. cit.*

[8] For more detailed evidence see below.

[9] Thus, by October 31, 1947, of some 200,000 persons so charged only about 11,000 were so classified (Office of Military Government for Germany, United States [OMGUS], *Monthly Denazification Report*, October 31, 1947, p. 9); corresponding figures for the end of April 1948 were 322,000 and 18,000, respectively (*ibid.*, April 30, 1948, p. 9).

[10] *Monthly Report of the Military Governor*, "Denazification and Public Safety", no. 17 (October 1—November 30, 1946). As late as April 1948 this figure had remained remarkably steady: about 85 per cent of officials previously dismissed by MG had been reappointed by that time. *Frankfurter Rundschau*, April 15, 1948, reporting OMGUS findings.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

in a certain number of cases downgrading would take place, and justifiably so because of the mechanical character of the earlier procedures, but this wholesale downgrading by German authorities could only be regarded as " whitewashing ".

Criticism on the part of MG was strong. General Clay, in a speech before the German Council of States (*Länderrat*) on November 5, 1946 expressed his disappointment. He stated that MG would resume denazification responsibilities if there was no improvement in German proceedings within a probation period of two months. The Germans, however, remained largely unimpressed. They could not help observing that general MG policy ran counter to the threatened resumption of responsibilities and that, moreover, MG personnel had been cut down to a level where such resumption appeared practically impossible. When, despite a lack of improvement in German performance, the General's threat was *not* implemented at the end of the probation period, they felt encouraged to clamor for relaxation.

Third Stage: Amnesties

Such relaxation at first took place in the form of amnesties granted to certain groups of incriminated persons. A youth amnesty for those born after January 1, 1919 had been proclaimed in August 1946. An amnesty proclaimed for Christmas 1946 exempted (a) persons of low income and property and (b) disabled persons. These were considered " not chargeable ", if " on the basis of the results of the investigation by the Public Prosecutor no sufficient reasons exist to suspect the respondent of being Major Offender or Offender." Justifiable as the amnesties were in principle, further damage to the purpose of the denazification law resulted from their application. Flexible investigation of individual cases yielded to mechanical classification. The prosecutor, overwhelmed with cases and unable to investigate each amnesty case according to its merits, would rule automatically that " no sufficient reasons existed " to suspect that a person, unless self-indicted on the basis of his questionnaire, was a Major Offender or Offender. Many a prominent Nazi must thus have escaped prosecution. This is apparent from the number of cases where persons

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

granted amnesty were later found, more or less accidentally, to have been active Nazis or even war criminals.[11] But at least there was a cutting down of the denazification load, through the amnesties, by more than 70 per cent,[12] thus rendering it possible to give more individual treatment to other cases.

Fourth Stage: Amendment of October 1947

This opportunity, however, vanished before the ever growing tendency to terminate denazification by wholesale extenuation. Until October 1947, denazification had proceeded at an average monthly pace of 50,000 persons tried. Since priority was being given to persons indicted as Followers—in order to enable those among them who were under temporary employment restrictions to resume their ordinary activities—the core of major Nazis, that is, the most vital but also most difficult cases, remained still to be tried. At just this critical juncture MG, recognizing that German criticism was justified on certain points—for example, in the case of the automatic classification as Offenders of persons who had become party members before May 1, 1937—agreed to an amendment of the Liberation Law which went far beyond such points and in practice amounted to a wholesale exemption of persons in Class II, that is, the majority of the remaining "hard core" of Nazis not yet tried. This amendment allowed the prosecutor, with MG consent, to reclassify as Follower anybody previously classified as Offender, unless he was a member of one of the organizations declared criminal by the verdict of the Nürnberg International Military Tribunal. Thus mechanical standards were reintroduced, this time in favor of former Nazis. True, the amendment provided that the prosecutor should downgrade only where there was no evidence that the person was a major Nazi; but, as in the case of the amnesties, pressure of work, unavailability of evidence, and local pressure, except in rare cases, precluded a more thorough search for incriminating evidence.

The effect of the amendment became immediately apparent. It made eligible for amnesty as Followers a large proportion of

[11] For illustrations see below.

[12] OMGUS, *Monthly Denazification Report*, April 30, 1948. The number is about equally distributed between youth and Christmas amnesties. See K. H. Knappstein, "Die versäumte Revolution", in *Die Wandlung*, 1947, p. 670.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

persons hitherto not so eligible as Offenders. During December 1947 alone, the actual number of cases processed almost trebled as compared with November; about two thirds of the increase was the result of amnesty granted to downgraded former "major Nazis".[13] Whereas in November 1947 it had been estimated that, of 787,000 cases still to be completed, the large majority (about 640,000) would consist of highly incriminated persons; by the end of January 1948 this estimate had dropped to some 230,000, although very few had in the meantime been found to be Major Offenders and Offenders.[14] Still, there remained obstacles in the way of a complete acquittal for the remaining cases, particularly the requirement of MG consent to downgrading, and the exception of the members of the criminal organizations from provisions of the October amendment.

Fifth Stage: Further Relaxations and the Amendment of March 1948

These obstacles were subsequently removed. After January 1948, MG approval for putting Offenders into the Follower category was no longer required.[15] German authorities thus were free to avail themselves of the possibilities for wholesale exemption under the October amendment. More important even was the introduction of an expediting procedure (*B-Verfahren*[16]), according to which the main categories of Followers could be processed in a kind of written procedure. The prosecutor would prepare lists of people to be displayed publicly for a period during which appeals could be launched for putting an individual on the list into a higher class. In the absence of such an appeal the Follower classification would become valid, and the persons would get written summons to pay a stated fine. Under the October amendment Offenders, now classifi-

[13] OMGUS, *Report of the Military Governor*, Statistical Annex (May 1948), p. 87.

[14] OMGUS, *Monthly Denazification Report*, January 31, 1948, p. 2.

[15] All MG control of denazification was finally terminated in August 1948, when MG Special Branches were abolished.

[16] So called because it referred to groups enumerated in Part B of the Appendix to the Liberation Law, which, ironically enough, had listed these categories as "groups which need careful special investigation."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

able as Followers, could also come under this procedure. Since appeals for higher classification apparently have been rare, this rapid procedure has become the main instrument in cleaning up denazification. Thus, during April 1948, more than twice as many cases tried by normal procedure were completed by the expediting process: 24.2 per cent as against 11.4 per cent of the cases handled in that month, the remainder were cases granted amnesty without trial.[17]

A final relaxation occurred when a second amendment to the denazification law was passed at the end of March 1948. Its main provision removed the one exception to the possibility of downgrading major Nazis; namely, that concerning members of criminal organizations. An MG Directive of February 1948 had already provided for the release from internment camps, where they had been held pending trial, of large groups of such members. Those who had expected severe punishment were thus free to go "underground". Under the March amendment anybody formerly belonging to these organizations and not classed as Major Offender (Class I) might now be classified as Follower and then could either receive amnesty or be fined the usual amount. Furthermore, employment prohibitions pending trial were abolished, so that practically everybody accused under the law became immediately employable.

Sixth Stage: Liquidation of the Program and Results

The various steps taken to relax the original denazification program thus had resulted in the exemption of all but a very small number of Major Offenders. As matters had developed, denazification was terminated under such conditions that a premium was given to the "hard core" of major Nazis who had managed to delay their trials in the hope of forthcoming relaxations; most of them now would get away without penalties, in contrast to the bulk of minor Nazis who had been tried earlier. In these circumstances, demands for retroactive amnesty for the latter category will be difficult to refuse. Thus, denazification would result in the total amnesty of all but a handful of Major Offenders.

[17] OMGUS, *Monthly Denazification Report*, April 30, 1948, p. 5.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Steps had been taken to implement General Clay's statement that denazification was to be concluded by the summer of 1948. German authorities were required to prepare court calendars with definite dates set for remaining trials. When it became apparent that even then the target date would be difficult to keep, denazification ministers were instructed to cut down on the number of regular trials still to be held. With these measures, liquidation of the program was practically achieved in the summer; only 0.5 per cent, less than 65,000 of the original registrants, remained as of June 30, 1948, most of them to be handled under the expediting precedures.[18] The main job at that time related to some 30,000 appeal cases still pending.

Figures prior to the end of June 1948 thus afford an almost complete picture of the results of the denazification venture.[19] Of 12,753,000 persons who registered in accordance with denazification provisions, 9,073,000, or almost three fourths, were found not chargeable under the law. Of the remainder, 3,209,000 had been processed by the end of April 1948. Of these, 2,373,000 had been granted amnesty without trial; 836,000 had been tried—again, a ratio of about three to one. Of those tried, about 37 per cent, or more than one third, were exonerated; either they received amnesty through board findings or the proceedings were quashed. More than half (50.8 per cent) were classified as Followers; 10.7 per cent were put into Class III, Lesser Offenders; 2.1 per cent into Class II as Offenders; and 0.1 per cent into Class I as Major Offenders. This, however, refers only to findings of lower tribunals. Figures relating to cases dealt with by appeal tribunals show that a large percentage of cases is being further downgraded by appeal authorities. Of cases completed in appellate tribunals by May 31, 1948, only 27 per cent were confirmed as to classification and punishment, and 3 per cent were upgraded. The majority of those classified I, II, or III by the lower boards may thus count on escaping such classification

[18] OMGUS, *Monthly Denazification Report*, June 30, 1948, p. 2.

[19] See *Monthly Denazification Report*, April 30 and June 30, 1948, and *Report of the Military Governor*, May 1948, quoted above, from which the round figures have been taken.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

through appeal.[20] Even this is not all. Retrial can be ordered of cases legally completed by ministers of denazification, and in the subsequent trials many, especially in the Follower class, manage to be downgraded or amnestied. And pardons may be granted by the respective *Land* authorities, accounting for an additional number of "escape" cases.[21]

Of those convicted, the vast majority was merely fined, 503,360 (for 430,890 of them the fine was less than 1,000 RM); 27,413 were sentenced to occasional community work without imprisonment. Of the more serious offenders, 7,768 were sentenced to labor camps (2,686 to less than one year, 4,702 to between one and five years; periods of previous internment are usually allowed to be counted as served); 18,543 were held ineligible to hold public office; 107,246 were made subject to other employment restrictions (usually for a probation period); 20,865 were subjected to property confiscation (mostly partial). While some 26,000 persons were held in internment camps at the end of 1947, this number went down to less than 5,000 by the end of May 1948; only 1,677 of these were at that time serving sentences imposed by trial tribunals, showing that a large number of those so sentenced had already been dismissed.[22]

Two groups of German critics of denazification may be distinguished: those who criticized it as overly harsh and unjust, and those who objected to it because of leniency and laxity in its practical application. The former objected to a too broad definition of the Follower category, which, according to this group, meant punishing those who had merely "erred politi-

[20] Of 16,143 found to be Lesser Offenders (Class III) by trial boards, 7,235 had been downgraded to Followers by June 30, 1948, and 5,703 either exonerated or amnestied. Of 1,284 persons classified I, only 156 had been finally so classed by appeal tribunals.

[21] Tables 17 and 19 of the April 30, 1948 *Denazification Report*.

[22] Figures relating to specific denazification boards perhaps are even more revealing. Thus, the denazification board at Weiden (Bavaria), which terminated its activities as of June 30, 1948, published the following final account (see *Neuer Tag*, Weiden, July 21, 1948): Of some 10,000 cases dealt with, about 8,500 came under the youth or Christmas amnesties. The board classified the remainder as follows: Class I, 1; Class II, 38; Class III, 309; Class IV, 1,327; Class V, 43.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

cally ".[23] Subsequently, when amnesties and amendments exempted the bulk of Followers from the application of the law, criticism from this side was directed against the principle of denazification as such, which, so it was charged, was *ex post facto*, started from presumptions of guilt, and was liable to undermine German belief in justice and fairness.[24]

The other group, in its criticism, readily recognized these shortcomings of the law which placed the defendant at a disadvantage, particularly the " little fellow " caught in the network of Nazi organization; but it emphasized that a very real danger resulting from leniency toward major Nazis might be overlooked because of concern over the injustice done to minor Nazis. This group, therefore, opposed shelving of proceedings at a time when the job of dealing with the hard core of major Nazis remained to be done, and pointed out that those who had been little concerned about the " rule of law ", when the masses of little Nazis had been dealt with, had discovered these dangers when the more dangerous Nazis were about to be tried. They argued that it would be unfair to scuttle denazification and to allow heavily incriminated persons to get away while minor offenders had previously been dealt with more severely.[25]

To some extent, these two groups of critics coincided from the outset with the political Right and Left; but there were in the early stages important groups on the Right, too, that favored an energetic and comprehensive purge of public and economic life from Nazi influence. This changed when it became apparent that, because of the resistance of Nazis and Nazi sympathizers, successful prosecution of denazification could not be accomplished without full backing by MG. When the latter slackened its efforts, association with denazification be-

[23] Eugen Kogon, " Das Recht auf den politischen Irrtum ", in *Frankfurter Hefte*, 1947, pp. 641 *et seq.*

[24] See, among numerous articles in the daily press, e.g., *Main-Echo* (Aschaffenburg), October 24, 1947; *Münchner Merkur*, March 5, 1948; *Südost-Kurier* (Bad Reichenhall), March 6, 1948; also Wilhelm Cleve, " Massenstrafe ", in *Die Gegenwart*, August 20, 1948, pp. 12 *et seq.*

[25] *Main-Post* (Würzburg), March 2, 1948; *Fuldaer Volkszeitung*, January 31 and February 14, 1948.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

came a liability. If persons previously powerful might resume their former positions, they might then remember who had helped and who had opposed them; they might even visit revenge on those who had been implicated in denazification procedures against them.

Thus the anti-denazification forces of the Right became more and more aggressive, while the discouraged Left joined in criticizing many procedures. Communists took the side of the "persecuted little Nazis", trying to capitalize on their resentment and share in the race for the support and vote of the "denazified" Followers. Social Democrats tried to get rid of denazification ministries and similar posts identifying them with the denazification program. A well-organized propaganda campaign of the enemies of denazification culminated in demands, raised by both churches early in 1948, for its immediate termination. A myth grew up of denazification being a cruel persecution with Nazi-type measures in trying people and keeping them in "concentration camps". The shrinking group of those favoring energetic conclusion of denazification was increasingly unable to make its voice heard.

In order to judge the degree of justification of this criticism, one might be inclined merely to refer to the official OMGUS figures as evidence that denazification has been overly lenient, but in the following pages an attempt has been made to approach the problem through another avenue. The press in the American zone [26] by and large has covered denazification thoroughly, not only through the evaluation of general developments but also by reporting individual cases that came before denazification tribunals. A broad sampling of cases reported would seem to convey a fairly reliable picture of how denazification was handled, particularly since the newspapers did not limit their reporting to outstanding cases [27] but covered a large number of minor cases as well. From these reports, covering

[26] In the British zone, where denazification proceedings were generally not public, this has been the case to a lesser degree only; some evidence in the following pages has, however, been taken from British zone sources also.

[27] Such cases (e.g., the acquittals of Schacht, of film authors Werner Krauss and Veit Harlan, or the case of former Württemberg-Baden education minister Simpfendörffer, which made headlines in *all* papers) have been omitted in the following sampling in order to deal with the more "average" case.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

two years of denazification and practically all regions in the zone, the following selection of typical cases has been made. They are arranged according to the main categories of criticism leveled against denazification proceedings.

1. *Cases evidencing leniency*

a. *Former Nazi propagandists and ideologists*

(1) Active Nazi propagandist who had worked among Germans abroad and published anti-Semitic writings: Follower, fine of 50 RM.[28] (2) Propagandist who had written a book glorifying Nazi racial policies: Follower, fine of 2,000 RM.[29] (3) Propagandist, author of book on *The Jewish Question Throughout the Centuries*, dedicated to Julius Streicher: Offender, one and a half years in labor camp, fine of 8,000 RM.[30] (4) Nazi author and propagandist: exonerated, resumed his former position as police official.[31] (5) Creator of Nazi poster propaganda and prominent Nazi author, known under his pen-name of "Mjölnir": Follower, fine of 500 RM.[32] (6) History professor, author of books with Nazi tendency: exonerated by appeal board after Class III classification by lower board.[33] (7) Authoress, glorifier of Nazi "blood and soil" doctrine and as such very popular under the Nazis: Follower, fine of 2,000 RM.[34] (8) Former editor-in-chief of *Münchner Neueste Nachrichten*, prominent ideologist, also member of SS and "V-man" (informer) for the SD: Follower, fine of 2,000 RM.[35] (9) Former owner and editor of Nazi paper at Tauberbischofsheim, who had acquired this paper from non-Nazi owner through pressure: Follower, fine of 100 RM.[36] (10) Former editor-in-chief of *Straubinger Tagblatt*: Follower.[37] (11) Former editor of Nazi paper at Hof: pro-

[28] *Stuttgarter Zeitung*, July 16, 1947.

[29] *Giessener Freie Presse*, December 2, 1947.

[30] *Fränkische Presse* (Bayreuth), May 4, 1948.

[31] *Main-Post* (Würzburg), March 3, 1947.

[32] *Frankenpost* (Hof), April 10, 1948.

[33] *Wetzlarer Neue Zeitung*, May 5, 1948.

[34] *Neuer Tag* (Weiden), March 27, 1948.

[35] *Süddeutsche Zeitung* (Munich), May 1, 1948. See the excessive praise of Giselher Wirsing, who even prior to 1933 had been active in the proto-fascist "Tat" circle, by Göbbels (p. 121 of the *Diaries*).

[36] *Württembergisches Zeit-Echo* (Schwäbisch-Hall), March 20, 1948.

[37] *Mittelbayrische Zeitung* (Regensburg), April 30, 1948 (fine not reported).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

cedure quashed, defendant deemed not to be "formally incriminated".[38] (12) Editor-in-chief of official Hamburg Nazi paper, also *Gau* press leader and SA *Oberführer:* fine of 4,000 RM.[39] (13) Former press officer of Goebbels (*Pressereferent:* one and a half years of imprisonment, counted as served through previous internment.[40] (14) Outstanding representatives of Nazi "cultural" activities, former chief of Frankfurt theaters and high ranking in Nazi cultural organizations: Lesser Offender, but exempted from the usual sanctions of this category and merely fined (2,000 RM).[41] (15) Nazi sculptor, recipient of personal Hitler honors and of substantial material rewards: exonerated as "unpolitical".[42] (16) General who, in speeches and publications, acted as major propagandist of Nazism for the armed forces: Offender, two years in labor camp, with previous internment (over one year) counted.[43] (17) Former dean at Bonn University, member of SS and SD, in latter capacity informer for Himmler: exonerated.[44] (18) High official in Nazi school administration, described as one of the most active Nazis of the region: Lesser Offender, eight months of probation, fine of 600 RM.[45] (19) Former headmaster of a *Gymnasium*, holder of many Nazi posts, called by prosecutor "one of the most active of the Nazis who have come before this chamber": Lesser Offender (probation).[46] (20) High-school teacher, major propagandist, locally known as the "Party high priest": Lesser Offender, three years of probation.[47]

b. *Members of Nazi terror machine* (*Gestapo, special courts, etc.*)

(1) Gestapo official in charge of Jewish affairs at Kassel, had treated Jews with particular brutality: four years in labor camp,

[38] *Frankenpost* (Hof), December 3, 1947.

[39] *Hamburger Echo,* January 13, 1948.

[40] *Isar-Post* (Landshut), April 23, 1948. This case was adjudged in the British zone where membership in criminal organizations is dealt with by special courts (*Spruchgerichte*), meeting out sentences of imprisonment as well as fines.

[41] *Frankfurter Rundschau,* April 29, 1948 (Friedrich Bethge).

[42] *Ibid.,* May 27, 1948.

[43] *Marburger Presse,* January 16 and 19, 1948.

[44] *Frankenpost* (Hof), April 28, 1948.

[45] *Neuer Tag* (Weiden), April 24, 1948.

[46] *Fuldaer Volkszeitung,* January 13, 1948.

[47] *Frankenpost* (Hof), November 8, 1947.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of which two years counted as served through internment.[48] (2) Supervising officer of penitentiary, responsible for brutal treatment of political inmates: Offender, three years in labor camp, internment counted.[49] (3) High Gestapo official in the Reich Main Security Office: Follower, fined.[50] (4) Collaborator of the SD, responsible for many people being put into concentration camp: Offender, only a few months in labor camp to be served.[51] (5) Public prosecutor at a Nazi "Special Court" (*Sondergericht*): Lesser Offender, one and a half years of probation, fine of 2,000 RM.[52] (6) Gestapo official who was active in Poland from 1939 to 1944 (British zone case): four months in prison still to be served.[53] (7) Former chief of Gestapo and SD at Fulda: Follower.[54] (8) Former deputy police president at Nürnberg, responsible for personnel matters and for the pogrom of November 10, 1938 at Nürnberg: Follower, fine of 800 RM.[55] (9) Gestapo official, personally involved in maltreatment of political prisoners (British zone): 18 months in prison.[56]

c. *Public officials and party officials*

(1) Former District President (*Regierungspräsident*) of Upper and Middle Franconia: Lesser Offender, two months of probation, 4,000 RM fine.[57] (2) Lord Mayor of Augsburg 1935-1945, also high ranking in various Nazi organizations: Follower,

[48] *Hessische Nachrichten* (Kassel), April 22, 1948.

[49] *Niederbayrische Nachrichten* (Straubing), April 20, 1948. The prosecutor had pleaded for the maximum penalty of 10 years; defendant was assisted by the former chairman of the same board, now acting as defense attorney.

[50] *Frankfurter Rundschau*, May 25, 1948.

[51] *Mittelbayrische Zeitung* (Regensburg), January 23, 1948.

[52] *Main-Post* (Würzburg), May 30, 1948.

[53] *Westdeutsches Volksecho* (Dortmund), August 8, 1947.

[54] *Fuldaer Volkszeitung*, May 4, 1948 (sanction not reported).

[55] *Nürnberger Nachrichten*, April 10, 1948. It should be noted that police presidents as well as their deputies and personnel chiefs were among the most active Nazis and as such were on all blacklists for automatic arrest.

[56] *Hamburger Freie Presse*, January 24, 1948.

[57] *Frankfurter Rundschau*, May 6, 1948. District Presidents were likewise key Nazi officials. It was pointed out during the trial that, while the defendant can now claim retroactive payment of a retirement pension, a teacher for whose dismissal for political reasons he had been responsible, had so far been unable to get her salary claims restored.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

fine of 1,000 RM.[58] (3) Former Hesse minister, later District President in the Saar and subsequently mayor of Vienna: Lesser Offender, three years of probation.[59] (4) Ministerial Director in Reich Interior Ministry 1933-1943: exonerated, now active as a *Landrat*.[60] (5) Former *Kreisleiter* and ranking pre-1933 party member: Lesser Offender, six months of probation, fine of 2,000 RM.[61] (6) Former *Ortsgruppenleiter*, described as "fanatical Nazi": six months in prison (British zone).[62] (7) Former deputy *Gauleiter* of Cologne: four years and three months in prison, internment counted.[63] (8) Former *Kreisleiter* of Hamburg-Harburg: two years in prison, counted as served through internment.[64] (9) Former *Kreisleiter* of Brückenau: Follower.[65]

d. *Miscellaneous*

(1) Director of Nazi bank "Ostland" at Riga (Latvia): Lesser Offender, fine of 2,000 RM.[66] (2) Airplane engineer and industrialist, whose fortune rose to 36 million RM under the Nazis and who had exploited concentration camp labor in his factories: Follower, fine of 2,000 RM.[67] (3) Leader of a nationalist Free Corps in the early 1920's and ally of the early Hitler movement: Lesser Offender.[68] (4) Organizer of nationalist Ehrhardt Brigade and other groups in the early 1920's, under Nazis commissar for motor transport, president of the German Red Cross, member of the general staff of the SA, and holder of other ranking positions: Follower, fine of 2,000 RM.[69] (5) Informer, whom witnesses

[58] *Schwäbische Landeszeitung* (Augsburg), May 21, 1948.

[59] *Darmstädter Echo*, June 17, 1948.

[60] *Frankfurter Neue Presse*, August 17, 1948.

[61] *Isar-Post* (Landshut), February 13, 1948.

[62] *Hamburger Freie Presse*, January 24, 1948.

[63] *Freie Presse* (Bielefeld), April 28, 1948. This sentence provoked protest strikes at Cologne.

[64] *National-Zeitung* (Berlin), May 23, 1948.

[65] *Fuldaer Volkszeitung*, April 29, 1948.

[66] *Nacht-Express* (Berlin), May 21, 1948.

[67] *Frankfurter Rundschau*, April 15, 1948 (Ernst Heinkel).

[68] *Neue Presse* (Coburg), May 28, 1948 (Rossbach).

[69] *Ibid.*, June 19, 1948. The Duke Carl Eduard of Saxe-Coburg-Gotha was one of the relatively few members of the former ruling dynasties in Germany who at an early time had actively supported the Nazi movement and later became important figures of the régime.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

called the "terror of the population": Offender, two years in labor camp.[70] (6) Informer, whose act drove one denounced person to suicide: Lesser Offender, three years of probation, six months of "community work".[71] (7) Pastor who had joined the Nazi "German Christians" and had terrorized the established churches: Lesser Offender, two years of probation, 1,000 RM fine.[72] (8) Nazi physician, chief of health office and as such responsible for execution of Nazi sterilization law: Follower, fine of 500 RM.[73] (9) Officer who, during war captivity in Texas, had terrorized anti-Nazis in the camp: exonerated.[74]

2. *Variety of arguments adduced for milder verdicts as evidence of leniency*

An astonishing variety of frequently contradictory arguments has been resorted to in order to justify lenient verdicts. The following cases may illustrate this tendency. It should be noted that, where youthfulness, bad financial situation or bodily injuries are adduced as extenuating circumstances, the defendants were apparently not young, poor or sick enough to come under any of the amnesties.

(1) Defendant joined party not for idealistic but for egoistic reasons.[75] (2) Defendant joined party out of idealism and still stands for his conviction.[76] (3) Defendant acted not out of conviction but out of revenge feeling.[77] (4) Defendant acted only because of pressure exerted upon him as an official.[78] (5) Defendant was an "official of the good old type", although as a *Landrat* he was responsible for putting people into concentration camps.[79] (6) Youthfulness of defendant was taken into consideration.[80] (7) Bad financial situation was taken into con-

[70] *Neuer Tag* (Weiden), December 18, 1946.

[71] *Isar-Post* (Landshut), February 13, 1948.

[72] *Wiesbadener Kurier*, May 8, 1948.

[73] *Mittelbayrische Zeitung* (Regenburg), June 18, 1948.

[74] *Frankenpost* (Hof), May 22, 1948.

[75] *Marburger Presse*, October 29, 1946.

[76] Case reported in same paper, same issue.

[77] *Passauer Neue Presse*, January 24, 1947.

[78] *Main-Echo* (Aschaffenburg), October 19, 1946.

[79] *Neuer Tag* (Weiden), December 14, 1946.

[80] Many cases, e.g., *Wiesbadener Kurier*, November 5, 1947; *Fränkische Landeszeitung* (Ansbach), March 15, 1947.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sideration.[81] (8) War mutilation was taken into consideration.[82] (9) "Mentally too unimportant" to be classified as Offender.[83] (10) "Tolerant toward other people."[84] (11) Fulfilled his obligations as a Catholic during the Nazi régime, for example, by taking part in processions.[85] (12) Well-known Nazi author, exonerated because of his "soldierly, humanitarian-pacifist" attitude.[86] (13) Official of criminal police, convicted of maltreating arrested persons: not sentenced to labor camp since present camps "do not guarantee democratic reorientation".[87]

3. *Cases evidencing laxity in procedures and in enforcement*

Frequently persons who had been, or were being, "denazified" were identified as major Nazis. Such accidental discovery, of course, does not always denote laxity on the part of boards or prosecutors, since, under present circumstances in Germany, with people changing residence from zone to zone and refugees settling down often with assumed names and forged papers, even the most careful prosecution cannot be supposed to identify every major Nazi.[88] In many cases, however, a certain amount of laxity must be presumed to have prevailed.

[81] *Fuldaer Volkszeitung*, November 1, 1947.

[82] *Ibid.*

[83] *Main-Echo* (Aschaffenburg), October 16, 1946.

[84] *Ibid.*

[85] This is one of the most frequent extenuating circumstances. See, e.g., *Neue Württembergische Zeitung* (Göppingen), October 25, 1946; *Schwäbische Landeszeitung* (Augsburg), July 18, 1947.

[86] *Frankfurter Neue Presse*, July 29, 1948. This case of a major Nazi author (Edwin Erich Dwinger) evoked lively interest. *Cf.* also *Schwäbische Landeszeitung* (Augsburg), July 27, 1948. *Frankfurter Rundschau*, August 6, 1948.

[87] *Fränkischer Tag* (Bamberg), March 20, 1948. Similarly strange rationalizations are often encountered in opinions of the criminal courts dealing with Nazi defendants. Thus a former Nazi, who had committed first degree murder in an unpolitical case, was granted extenuating circumstances because, so the court opined, although raised as a member of a special Nazi élite group, he had been educated not to have moral inhibitions, *Frankfurter Rundschau*, April 24, 1948.

[88] The following fantastic case may illustrate this: A former Nazi mayor had fled from the Soviet zone to the West and become a high official in the Rhineland-Westphalia government. He had had himself declared dead, had testified, under an assumed name, as a witness to his own death, and had then remarried his "widow". *Berliner Zeitung*, February 15, 1948.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

(1) Former *Kreisleiter* of Wiesbaden had "hidden" for over a year in a Wiesbaden hospital, during which time he received not less than 15 CARE packages from church organizations.[89] (2) A Nazi informer was recognized by one of his victims when the latter recognized the Nazi's voice over the radio; he had remained in his position as radio employee he held under the Nazis.[90] (3) An informer, whose action had led to the death of a political opponent, was accidentally discovered after having been acquitted under the youth amnesty and had become editor of a licensed newspaper.[91] (4) Defendant had been amnestied; subsequently she spit in the face of a victim of Nazism and expressed her regret that not all concentration camp inmates had been killed.[92] (5) Former Nazi mayor, who had terrorized Jews and political opponents, got himself "denazified" in the American zone, although his legal residence was still in the French zone. The board verdict, exonerating him, was quashed, but on retrial he was again acquitted. Thereupon he was made deputy *Landrat;* his superior, the *Landrat,* learned of his former activities but did nothing. When French MG informed American MG, the Nazi was suspended from office. Elected *Landrat* in another district, the denazification board of that district took up the case and had him arrested. At the time of the latest report, however, he had again been released.[93]

4. *Cases evidencing pressure, intimidation, and terrorism in denazification procedures*

In the nature of things, pressure and intimidation exerted by defendants, or those sympathizing with them, do not show up as clearly from reported cases as do other factors described so far. But circumstantial evidence abounds: for example, the difficulty of finding people willing to serve as prosecutors or members of boards, which led to legislation making such service obligatory and granting job guarantees to those engaged in these activities; or the fact that witnesses for the defense were numerous in the average case, as contrasted with

[89] *Frankfurter Rundschau,* October 14, 1947.

[90] *Frankenpost* (Hof), January 28, 1948.

[91] *Frankfurter Rundschau,* August 12, 1947.

[92] *Ibid.,* April 29, 1948.

[93] *Fuldaer Volkszeitung,* July 6, 1948.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

what has been called a "witnesses strike" of those favorable to the prosecution; or the practice of writing so-called *Persilscheine*, that is, written statements whitewashing the defendant.[94] Some evidence, however, can also be gained from reported cases.

(1) Witnesses against the defendant refuse to appear before the board, declaring that they are afraid of the defendant.[95] (2) Witnesses who previously had made incriminating statements refuse to repeat them in oral proceedings.[96] (3) There were only three witnesses against a defendant who had been *Landrat* from 1933 to 1945 in the locality of the trial.[97] (4) Former colleagues of defendant cannot remember incidents amply proved by other witnesses.[98] (5) Three special tribunals established to try former high military officers experience difficulties in finding incriminating witnesses, while the generals give each other mutually exonerating statements, in addition to *Persilscheine* given by their former orderlies, and so on.[99] (6) Defendant prepared exonerating statements for his witnesses, in which he inserted the clause, "Entirely uninfluenced by the defendant, I confirm herewith that . . ."[100] (7) Defendant, during oral trial, threatens witnesses and declares he will know how to take revenge when other times come.[101] (8) Witnesses for the prosecution threatened by former colleague of defendant during intermission of trial.[102] (9) In a riot after the trial of a major Nazi, his adherents attacked the chairman of the board and witnesses for

[94] The word is coined after the name of a well-known German brand of soap suds.

[95] *Schwäbische Landeszeitung* (Augsburg), November 29, 1946.

[96] *Fränkischer Tag* (Bamberg), October 11, 1947.

[97] *Hochland-Bote* (Garmisch-Partenkirchen), June 15, 1948. Cases in which major Nazis were tried without any witnesses for the prosecution abound. See, e.g., *Süddeutsche Zeitung* (Munich), October 18, 1947; *Weser-Kurier* (Bremen), November 13, 1947.

[98] *Schwäbische Landeszeitung* (Augsburg), January 8, 1948.

[99] *Nürnberger Nachrichten*, February 14, 1948. See also *Telegraf* (Berlin), October 14, 1947, with regard to the trial of former Nazi diplomats.

[100] *Neue Presse* (Coburg), October 5, 1946.

[101] *Stuttgarter Zeitung*, March 10, 1948.

[102] *Marburger Presse*, August 20, 1947.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the prosecution.[103] (10) Two members of a trial board, appearing as witnesses for the defense, declare that their future participation in the work of the board would depend on the acquittal of the defendant.[104] (11) Defendant intimidates witnesses by threatening that he will have them prosecuted for libel.[105] (12) Members of the trial board as well as the *prosecutor* attack witnesses for the prosecution.[106]

5. *Cases evidencing undue severity or other factors discriminating against defendants*

Nothing could be more revealing than the absence of cases in which unfairness or undue harshness toward defendants is reported, in contrast to the abundant evidence of leniency. Among the numerous cases reported in the daily press hardly any would support charges that major Nazis had been dealt with unfairly and that sentences against them were overly harsh. The author has come across only one case where it seemed to him that the evidence, as reported, did not warrant the imposition of the penalty (10 years in labor camp).[107] On the other hand, sentences against relatively minor Nazis in many cases appear unduly harsh, if the generally prevailing leniency is taken as standard. Relaxations of procedures, in particular, working in favor of those whose cases were handled later, make more stringent verdicts of the earlier stages appear unduly severe.

— — — — — —

Statistical and case evidence thus would seem to prove that denazification, even where handled under comprehensive regulations and procedures (in the American zone), has been a fiasco and that, in effect, not Germany but the Nazis them-

[103] *Südost-Kurier* (Bad Reichenhall), October 11, 1947; similar case reported in *Frankfurter Rundschau*, August 26, 1948.

[104] *Frankenpost* (Hof), March 5, 1947.

[105] *Donau-Kurier* (Ulm), November 21, 1947.

[106] *Darmstädter Echo*, January 6, 1948. According to this source the tribunal in question, an appellate court, is generally known as the "chamber of the good Samaritans".

[107] *Mittelbayrische Zeitung* (Regensburg), January 13, 1948.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

selves were "denazified".[108] German public life, on the other hand, is in the process of being "renazified", with the "denazified" former Nazis now able and very willing to enter, or re-enter, public service, economic positions, cultural activities, and so on. A few figures will show the extent to which such renazification has already taken place.[109]

OMGUS figures in this respect are available as of December 31, 1947. A report of this date by the Civil Administration Division, called "Implementation of the Law for Liberation from National Socialism and Militarism in Public and Private Employment", gives details on the employment of politically incriminated persons (that is, persons chargeable under the denazification law) in public agencies and private enterprises as well as on dismissals of such persons in the second half of 1947.[110] According to the report, at the end of 1947 among staff members of public agencies 30 per cent were "politically incriminated" persons, and in private industry 18 per cent.

[108] Nothing could be more revealing than the strange modification of meaning that the term "denazification" itself has undergone. While at first signifying the elimination of Nazis from public life, it has now in German everyday language come to mean the removal of the Nazi stigma from the individual concerned, that is, the procedure by which he gets rid of certain inhibitions or restrictions ("Mr. X was denazified yesterday"—he can now take up his former profession again).

[109] It may be objected that figures on percentages of former Nazis in office do not prove "renazification" of the respective agency or field. If it is shown, for example, that some branch of the administration still employs a certain percentage of "incriminated persons", this would not necessarily imply that all or most of them were major Nazis, while the presence of even a high percentage of minor Nazis in lower positions would not render the agency "nazified". But it must not be forgotten, on the other hand, that many persons classified as minor Nazis (Followers, etc.) were in fact major Nazis classified incorrectly. From what has been said above, it is clear that even many an exonerated or amnestied Nazi, or one who had never come under review at all, might have been an active Nazi. Procedures, in effect, favored those who, while never occupying positions in the Nazi hierarchy, had yet played a rôle in the régime, as intellectuals, propagandists, financial backers, profiteers, etc. In many cases it was pure coincidence whether, for example, a state official under the régime had been subject to much or little pressure to join the party. A large proportion of those not having the formal criteria of the denazification questionnaire (such as membership in the party or a party organization) but who in fact engaged in Nazi activities must thus have escaped correct classification.

[110] While it is regrettable that figures are not given for the preceding period, this half-year may well be considered as representative of the general trend.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Much higher figures of Nazis in office, however, are revealed if the respective staffs are analyzed according to categories of employment or work. Thus, about 40 per cent of the higher civil servants and more than 46 per cent of those in the " upper middle " service were former Nazis; in private industry, the figure of Nazis in the category of owners and partners was 30 per cent.

These rather high percentages have since become greater, because, with more trials completed, more former Nazis were freed of temporary employment restrictions, while only an insignificant number in addition were dismissed as a result of tribunal action. The insignificance of this number appears from further figures in the report referred to above. During the second half of 1947 only some 700 persons in higher public office and less than 200 persons in ownership or managerial positions in private industry were dismissed. Of these dismissals, however, few resulted from verdicts by denazification boards imposing employment sanctions; most came under the temporary employment prohibition pending trial. Thus, of a total of 126 " owners, partners and/or trustees ", only 10 were forced to quit their positions because of tribunal decision, and of a total of 169 dismissed members of the higher civil service, a mere 20.

More recent figures confirm the growing infiltration or reinfiltration of Nazis into positions of influence. According to an MG report [111] 60 per cent of Bavarian judges and 76 per cent of Bavarian public prosecutors were former Nazi party members. Even more important than this penetration of appointive positions is the increasing number of elective posts occupied by " denazified " Nazis, as mayors, *Landräte*, and so on. In such positions, backed by the confidence of a majority of the public (most of the temporarily disfranchised Nazis have by now regained the ballot), they have full opportunity to apply their policies and standards in day-by-day administration, in appointing and dismissing, favoring and disfavoring, without having to be overly afraid of interference by higher authorities. Thus a policy of " democratizing " Germany, through

[111] As referred to in *Donau-Kurier* (Ulm), July 20, 1948.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

making key positions elective and entrusting Germans with the right to vote and elect on an ever broader scale and through failing to eliminate Nazis from participation in these processes, has simply delivered the fragile new democracy to the tender mercies of its enemies.

In conclusion, the effect of denazification appears to have been to bar certain persons *temporarily* from positions of influence rather than to provide for their definitive or long-term elimination. The same, in the economic field, holds true for the properties of the persons concerned. These are being unblocked following the downgrading or exoneration of the owners, while property confiscations by tribunal verdict have been rare, notably in the case of industrialists or other major owners, since such persons seldom belonged to categories where heavy penalties were mandatory—Major Offenders and Offenders.

The question remains: Why this conspicuous failure? Granting the difficulties mentioned above (absence of a German revolution, resistance to "revolution by *fiat*" on the part of many in MG and elsewhere), was it not to be expected that Germans, once freed from Nazi domination by the victors in the war, would welcome an opportunity to rid themselves of those responsible for tyranny and defeat? And that the Allies, made wiser by a victory won with great sacrifice after a too long period of appeasement, would at least try to root out the danger of a neo-Nazism as thoroughly as possible?

There are those, adherents of the economic interpretation of history, who believe that it could not be done as long as the social-economic structure which produced Nazism, that is, German industrial capitalism, was left intact. At the Nürnberg war crimes trials it was proved that a large part of German big business was at first promoter and then ally of the Nazi cause, at least as long as entire countries could be exploited in the wake of conquering armies and profits could be made out of enslavement and working to death of entire groups of populations. This would not prove, however, that denazification required the transformation of the existing socio-economic system as such. One could attempt to sift out those among the ruling groups who had been most closely allied with the Nazi cause; above all, one could try to eliminate once and for

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

all the prominent members of the terror and propaganda machine of the Nazi party itself, by preventing those who had been active in it, as well as those in allied groups (parts of the bureaucracy!) who had been instrumental in helping it to function, from gaining positions of influence in a democratized Germany. At least this would have removed the more immediate danger.

Why, then, was it not done? Our analysis has shown the barriers which intimidation and pressures, and later propaganda, raised in the path of the proceedings; as a result the initial period, when, under the impact of the defeat and the revealed Nazi atrocities, conditions were still relatively propitious for a swift and radical operation, was allowed to pass unused.

A more basic reason, however, on the German side, may lie in what a German philosopher has recently emphasized: [112] widespread "repression", on the part of the Germans, of the entire Nazi "episode". It was a dark page in German history that they want to forget if not to deny; and a thoroughgoing denazification would have revealed all its horrible and frightening details.[113] Thus the military defeat, with its revelation of the true nature of Nazism, failed to produce that purging of the soul, that readiness to realize what had been done in the name of Germany by its self-styled leaders, on which all other "purges" depended.[114]

On the Allied side the difficulty of utilizing military occupation for "political" purposes such as denazification certainly played its rôle in the final outcome, as well as the reluctance of the Western Powers to deal uncompromisingly with groups and

[112] Theodor Litt, *Wege und Irewege geschichtlichen Denkens* (Munich, 1948).

[113] The same tendency is revealed by the leniency shown to Nazis tried for actual crimes by German criminal courts; many new cases might, unfortunately, be added to the abundant evidence adduced in this respect by Karl Loewenstein, "Reconstruction of the Administration of Justice in American-occupied Germany", *Harvard Law Review*, LXI, 1948, pp. 419 *et seq.*

[114] Such failure is now often rationalized by inference to "what the others are doing to us", as if one crime or injustice, even if it were comparable to the other, could excuse it, and if German assumption of responsibility for meting out retribution for crimes committed by Germans would not have meant a more impressive assumption of sovereignty than all the clamoring for "occupation statutes" and similar Allied concessions!

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

members of a class considered as related to one's own ruling group. But here, likewise, a deeper reason seems to have played a rôle. It seems significant that not only in Germany but everywhere in Europe such policies as purges of fascists and prosecution of Axis collaborators have by now been "co-ordinated" under the impact of the bipolarization of power in the world. They have thus been perverted into tools of the power politics of the two major blocs.

Thus, in the Soviet sphere, purge of Nazis and Fascists soon became the tool for indicting any opponent of Communist-totalitarian rule and for eliminating him as a "fascist collaborator", whether or not he had been one under the Axis rule. Was it necessary, then, for the Western countries to welcome as "allies" in their anti-Communist stand not only those democratic non-Communists, on whom Communists undeservedly place the stigma of "collaborators", but also the real former collaborators and Fascists? This may, indeed, have its advantages from the standpoint of power politics. As a German put it the other day: "After all, we are experienced *Russenkämpfer.*" If so, the moral superiority of the non-totalitarian West is "expendable". Even from the standpoint of an apparently realistic power politics, however, this policy, in the specific instance of Germany, seems not to be without risk. Power constellations and power concentrations change. Britain in 1920 thought it wise to build up Germany against France, and was still immersed in this policy when the Nazis assumed power. Germany, deprived of its food supply areas in the East, with millions of refugees dumped into its remaining territory, overcrowded, increasingly cynical and nihilistic, may care little, when its power has increased, whether it turns against the East or the West, if Nazis are allowed to determine its policies. Neo-Nazism may yet justify the hope of the dying Nazi leaders that one day Germany will come out on top after all by playing off the East against the West, and the West against the East. *Videant consules et proconsules!*

JOHN H. HERZ

HOWARD UNIVERSITY

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

REVIEWS

The Price of Power. By HANSON W. BALDWIN. Published for the Council on Foreign Relations by Harper and Brothers, New York and London, 1948.—xii, 361 pp. $3.75.

Mr. Baldwin's is a book of the hour which is of interest to students of political science because of its scope, the seriousness of the study that lies behind it, and the quality of the mind that has produced it.

The author presents the situation in which the United States finds itself as the result of its unmatched strength, the outcome of the war, and the effect of science and technological revolution on the nature of warfare. This is, as we all know, a situation fraught with danger that will rapidly increase; but Mr. Baldwin believes that we can meet the danger successfully, and with benefit to mankind, if, beginning now, we take certain measures which he represents as the price of our power. These he sets forth in a series of propositions made as definite as the knowledge and wisdom at his disposal permit. The propositions are Mr. Baldwin's own and are expressed in his own effective language, but in forming them he had the benefit of the knowledge and criticism of the Study Group on National Power and Foreign Policy of the Council on Foreign Relations, meeting repeatedly under his chairmanship. If academic professionals are upset to find other names more prominent than their own in the quotations, notes and bibliography, they should remember that behind the book are the knowledge and thought of this group in which they were represented.

The book is marked by bold and independent thinking and by a rare courage of spirit. It is a well-founded and persuasive effort to combat extremism and emotional thinking by pinning down problems and plans to our present knowledge of facts and a sober estimate of probabilities.

One of its most valuable parts is the chapter on "The Military Situation". In this Mr. Baldwin pins down to known facts "a technological timetable of possibilities", estimating on this basis time limits within which the weapons of the fearful warfare of the future can materialize and be made effective. Here his special competence as a student and observer of military affairs comes fully into play. He

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

wishes to get public opinion on military matters and foreign policy out of the realm of scared reactions to blueprints into the realm of reasoned judgment. Mr. Baldwin pictures boldly "the grim visage" of future warfare, but he is sure that "pushbutton" war is a long way off, and makes a cool estimate as to how far off it is.

I wish that in his propositions as to what we must do Mr. Baldwin had at certain points pushed his analysis further, because at these points it may, as presented, encourage the extremism he is combating. An important example occurs in his discussion of the proper organization of the armed services for war. He insists on the necessity of unified military command everywhere but at the top. He is convinced that at the top it would be highly dangerous to pass from command by a committee, the Joint Chiefs of Staff, as at present, to command by a single Chief of Staff, advised by a joint staff. This could be argued forcefully on the ground that one mind with this power, however ably advised, might make mistakes of military judgment fatal to the nation. Mr. Baldwin, however, fears the political as much as he does the military influence of such power. To make his point against a single military chief he is content to cite Napoleon and Hitler, apparently overlooking the fact that in each of these cases the supreme commander was also an uncontrolled chief of state.

At this and at other points Mr. Baldwin is avowedly swayed by his fear of the "military mind". He is willing to accept as inevitable other concentrations of power—a centralized intelligence and control of atomic energy—which are in themselves as dangerous to democratic institutions as single command of military power. They are as dangerous, as Mr. Lilienthal has recently observed with regard to his own organization, if only because of their monopoly of information without which responsible public judgment and control cannot be exercised. But these concentrations would be under control of civilians, and Mr. Baldwin is willing to put his trust in control by a civilian.

In his anxiety about the military mind Mr. Baldwin is in an American tradition as old as our origins. This is no time to abate by a jot our alertness to the danger which it contemplates since, as Mr. Baldwin points out, we shall now have to give military men and their judgments more influence than ever before. The axiom that military men are politically dangerous in so far as they are professionally conditioned to think of solutions in terms of force must be assumed to be true until shown to be false. In making the close calculations now required, however, we have to deal, not with "the military mind", but with specific military minds of the kind the American system

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

produces; and one is led by Mr. Baldwin's adjectives as well as his conclusions to believe that he regards these with distrust and distaste. When he gets down from "a man on horseback" to concrete cases his criticisms are leveled at such traits as "empire building" and the proclivity of the services, in wartime, to seek control of the civilian economy. It is doubtful whether these are specifically military traits. Certainly empire building and competition for control were not unknown to the civilian agencies of the government during the war, nor is either absent from the field of American business enterprise. In general, I suspect that many of the tendencies that Mr. Baldwin attributes to the American military mind are taken over from the American civilian tradition.

If this is true, it only increases our difficulties. All the ingenuity and resources of political science, mobilized in the confident spirit in which Mr. Baldwin has thought and written, are required if workable solutions are to be found in time to keep America solvent in terms of its ideals and its fateful mission.

KENT ROBERTS GREENFIELD

WASHINGTON, D. C.

Power and Personality. By HAROLD DWIGHT LASSWELL. New York, W. W. Norton and Company, Inc., 1948.—262 pp. $3.00.

It is Professor Lasswell's purpose in this essay to examine recent advances in science and discover what light they cast on the problem of developing an "elite appropriate to the needs of a society that aspires toward freedom." The argument launched twenty years ago in his own *Psychopathology and Politics* is carried further and made both more directly useful and more convincing. As compared with most of the political scientists of today, Lasswell is marked by his lack of sentimentality. He makes his value judgments explicitly and keeps his practical suggestions in their instrumental relation. But his science serves his values in no arbitrary fashion. His approach is primarily psychological. The personality, he reminds us, can be healthy only in a healthy set of interpersonal contacts. The psyche must experience respect in its environment if the soma is to function well. And out of this we get the idea of a "social psychiatry". Lasswell would go forward to the point of recommending that we organize teams of specialists to clarify the thinking of those members of the democratic state that are able to think and thus make democratic decisions rational and effective.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

A summary does serious damage to the close packed analysis we find in such a book. I can only choose to state briefly two aspects of the argument. The first is the practical advice the author gives to leaders and to the institutions that undertake to produce or train leaders. He follows his older thesis that the problem of politics is "to apply social energy to the abolition of recurrent sources of strain in society" (*Psychopathology and Politics*, p. 197) and expresses the preventive aspect of his social psychiatry as reducing "the provocative effect of social institutions." This is to be done by improving the "early character forming practices", that is, by education in the widest sense, in order to give the individuals stable powers of resistance, and also by organizing institutions in such a way as to diminish crises.

The second aspect is his positive program to "arouse and maintain expectations of effectively shared values." The steps in this program will be to enlist the support of rational citizens by making the public goals clear to everyone, by consulting all parties concerned in arriving at decisions, by giving citizens a chance to earn respect, by keeping goals ethically free of the sinister ideals that sap at freedom. Average citizens, he thinks, can learn to see further into the processes of public business and help to make progressively wiser judgments. Mere discussion will not accomplish this; what is needed is a great development of subtle skills for self-study and group action.

This book, in both thought and style, is well calculated to infuriate some of its possible readers, just those readers who would get the most out of it, I think, if they could try harder to understand it. They are the writers on politics and history who believe that because men are moved by value judgments their behavior cannot be studied unless we first decide as to the truth or falsity of those value judgments. Some centers of learning are breeding for the battle new medievalists of this kind. They prefer to discuss politics only after they have established that men who hold the "wrong" opinions, or want the "wrong" ends, are wicked rather than mistaken. This way of thinking has been useful in the past; perhaps it can still be useful, provided, of course, that its prophets cease to assume that the scientists who treat values as data thereby prove that they think values are meaningless. Lasswell ignores these legions in a way certain to exasperate them.

However, he also challenges directly the "mere observers"; he believes in science-guided action. With this position I agree and if I am to offer adverse comment it will be by way of a demand. There is not enough in this treatment to indicate how much we need to

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

organize the institutions that will express and effectuate the constructive plans of men in positive results, as well as to express their constructive desires in congenial action. With full respect for the psychological needs of man we can still ask for results in observable patterns of social change.

This lack, however, may be the natural result of one of Professor Lasswell's greatest virtues. It is my own opinion that the truth of his generalizations is not so important as the general effect of his writing and his method which is anti-doctrinaire. There is no ideology in his science. This is why it is so damaging to the kind of political "science" that not only wallows in ideology but includes a declaration that no objectivity regarding the facts is possible to human minds. Lasswell is magnificently objective toward facts; pragmatic and resolute regarding purposes. This seems to me to be the difficult but necessary method of any writer on politics who assumes the coadjuvant rôle of political leader. We need much more writing of this kind but it would be too much to expect of it to be as good as this.

LYMAN BRYSON

COLUMBIA UNIVERSITY

The American Democracy: A Commentary and an Interpretation. By HAROLD J. LASKI. New York, The Viking Press, 1948.— x, 785 pp. $6.50.

It is a distinct disadvantage to review a book after having read numerous other reviews. Ordinarily, I avoid this practice but in the case of Harold Laski's new volume it seemed difficult since notices of his book were so prominently displayed in the daily and weekly press. Thus, having read some of these reviews, I am bound to take into account what has already been said.

I shall do this at the very outset. Most of the important reviewers seem to be annoyed over the fact that Laski has utilized the Marxist perspective as the tool for analyzing American society. This fact does not trouble me since I have long believed that Marxism is an excellent critical instrumentality. In fact, it seems to me that it has almost no further utility for the future. The moral and logical difficulties which Marxism precipitates when it becomes a guide to action are so great that it seems to me destined ultimately for that grave into which all dogmatic absolutes should be put to rest.

All foreign interpreters of American culture tend to be judgmental, and while this may be annoying to Americans it is to be expected.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Crevecoeur, Dickens, Bryce, Wells, Feiler, Gorer, Brogan—all have assumed that it was their prerogative to say what they did not like about us, and when Americans write books about other cultures they exercise the same privilege. This preliminary concession must be made if one is to enjoy and profit from reading Laski's book.

His basic aim, as I understand it, is to demonstrate that, for good or ill, the United States stands in a position to determine the direction of world events during the immediate future. On this account it is imperative that foreigners should understand us and that we should understand ourselves. What, then, is important to know about the American democracy? It is important, according to Laski, to know how effective is the weight of our tradition and especially that portion of the tradition which derives from the fact that we have been a pioneering people. Once this significant fact has been grasped, American culture may be critically analyzed in terms of its contemporary institutions such as government, business, labor, religion, education, the professions, the press, cinema and radio. If we assume that discovery, expansion and optimism are the three fundamental qualities of the American tradition, as Laski does, the next critical task is to trace these values to their ultimate expression and meaning, meaning for us and for the world. This task Laski performs with skill, insight and the benefit of a wealth of knowledge which, I believe, no other foreign critic possesses.

Why then has this book elicited so much negative comment? I have already alluded to one difficulty, namely, the patent Marxism which stands as frame of reference for Laski's interpretation. Since it seems to me important that our American scholars should understand Laski, I shall add several other factors which make it an easy matter to dismiss this important analysis of our civilization.

There is, first of all, an ambivalence which runs through the text. Laski obviously likes many phases of American life and for that reason he has spent a great deal of time in our midst, but he also is repelled by certain aspects of our culture, and what seems most repugnant to him are those features of our experience which are the consequence of a crass, materialistic, exploitive capitalism. The affectionate mood which pervades his positive allusions is quickly forgotten when he becomes ironic about our failures.

In the second place, Laski never seems to come to grips with American philosophy. He uses the word "pragmatism" in a narrow and derogatory sense, as for example when he says, "The American spirit is a pragmatic spirit; it looks more closely to the results it requires than to the methods by which those results are obtained"

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

(p. 56). The truth of the matter is that American pragmatists have been particularly preoccupied with methods, as illustrated in Dewey's contributions to pedagogy. It is absolutists, not experimentalists, who tend to become end-gainers.

And, finally, Laski appears at times to be criticizing human nature rather than Americans, and then not to the discredit of the species. When, for example, he says, "The happy American is thus, on my view, the American who is deemed successful in the relevant environment in which he moves," one can only respond by asking, "Why not?"

These are important difficulties which Laski puts in the path of his American readers and admirers but they are not crucial, and they should not be permitted to stand as barriers to a serious consideration of his thesis. Whether or not one agrees with his thesis is not so important as to appreciate that he has located American civilization in the context of a world which is in danger of gross degradation and that the "promise of American life" is at the moment the one source of hope. If this promise is not realized, if only in part, it will soon become the symbol of the world's despair.

EDUARD C. LINDEMAN

NEW YORK SCHOOL OF SOCIAL WORK
COLUMBIA UNIVERSITY

Democracy — The Threshold of Freedom. By HAROLD F. GOSNELL. New York, The Ronald Press Company, 1948.—vii, 316 pp. $4.00.

This book is about democracy, but it is far less comprehensive in its treatment of democracy than the title may lead one to suppose.

As I see it, a description and analysis of democracy that would merit the title of this book should deal with three matters: the body of ideals that sets the goals of a people that is devoted to democracy; the institutions and ways of doing things that express whatever amount and character of democracy a people has; and the conditions prevailing and likely to be encountered, which facilitate or hinder advance toward the ultimate goals of a democratic people. There is something about each of these in Mr. Gosnell's book, but the treatment of ideals and conditions that facilitate or hinder the achievement of ideals is strictly incidental to the discussion of institutions and ways of doing things that constitute democracy. And the treatment of institutions and ways is directed almost exclusively to suffrage, elections, and representation in legislative assemblies and

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

other public offices. If the reader can get back onto the road after having been led off into green pastures by the title of the book, he can learn a great deal about voting and representation in the United States and a number of other Western countries.

The first of the six chapters devoted to suffrage is a venture in theory; after some general observations about suffrage and elections, it offers an analysis of "theories regarding suffrage" (3 pages), and an analysis of "conditions associated with suffrage changes" (11 pages). While I think that the need of this country for a good five-cent cigar is as nothing compared with its need for some good theory relating to democratic government, I am obliged to say that the theory that is developed in this chapter seems to me not to bear much relation to the problems that are bothering the world today. I do not think this theoretical analysis will be of much help to the American soldier on occupation duty who is asked to what extent, at what rate, and under what conditions the occupied nation may hope to bring its citizenry into political activity by expanding the right to vote. Neither do I think that the American Negro can find in this chapter a clear statement of what an easy access to the polls might mean to his people, or any useful suggestions as to how his people might proceed to win an easier access.

The brief venture into theory relating to suffrage is followed by four chapters of informational character. They are in part historical, giving the sequence of events by which the right to vote was extended to lower income classes and to women in a number of countries. Mainly, however, they deal with tendencies of different sectors (women, Negroes, nationality groups, income groups, etc.) of the electorate to vote or not to vote, the extent to which and the manner in which these same sectors of the electorate have used the ballot for their economic and social advantage, and the tendency of individuals in these various sectors of the electorate to participate actively in politics in ways other than by voting. Mr. Gosnell has carried his inquiry into the literature of at least three languages, and he reports findings relating to at least a dozen Western countries. His discussion and his footnote references indicate that he has drawn together the significant data from all the quantitative studies relating to voting with which he is acquainted. The quantitative material is supplemented by other types of study, and by Mr. Gosnell's own extensive observation.

The discussion of suffrage and elections is followed by seven chapters on representation. As in the case of the former subject, there is first a theoretical essay; then an examination of the available

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

factual material. The theoretical part relating to representation is somewhat longer than the comparable part relating to suffrage and elections, and seems to me to be a bit more acute. Even so, it is highly academic in character, struggling (as I see it) with issues that have little significance for anybody who is confronted with the job of working out arrangements for representation that suit himself or somebody else better than those already in existence. On this subject, as on the first one, Mr. Gosnell seems to be much more at home with the informational material than with the problems of theoretical analysis. He makes full use of the existing quantitative studies and draws upon a wide range of other literature relating to representation.

The book closes with two chapters of general observations, entitled "The Competence of the Voter" and "Democracy and Values". The first of these chapters deals with the scope of the voter's job and the facilities available for his information; it does not inquire into the voter's subsequent confidence or lack of confidence that he did the right thing on election day, which I presume is the only available test of his competence until we can get some questions answered on the Great Judgment Day.

The last chapter contains a number of sweeping statements about matters of first-rate importance. If a theoretical analysis of these matters had been developed with the amount of care that was devoted to the more academic aspects of voting and representation, the value of the book to people faced with the job of achieving a more secure and a more vigorous democracy would have been greatly increased.

CHARLES S. HYNEMAN

NORTHWESTERN UNIVERSITY

The Pattern of Imperialism: A Study in the Theories of Power. By E. M. WINSLOW. New York, Columbia University Press, 1948.—xii, 278 pp. $3.75.

Imperialism and war are viewed in this book as kindred atavistic expressions of "naked power". A rough identification of the two sets of phenomena makes it easier to regard both as basically political. Economic activities, it is argued, tend to be peaceful and coöperative. From a debating position which unites imperialism and war but separates politics and economy, a general attack upon economic interpretations is launched, with considerable emphasis upon Marxist historical materialism.

Marx's argument for the necessity of expansion and the recurrence of crises under "capitalism", leading inevitably to socialism, is crit-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

icized repeatedly and at length. Although Marx had the notion of imperialism as a safety valve, it was greatly developed after his death in 1883, at which time the "colonial renaissance" had scarcely begun. Stress is laid upon Marx's failure (three quarters of a century ago!) to discover the author's proposed remedy for the boom-and-bust disease. The scheme is a version of the hundred-percent reserve, and amounts roughly to the socialization of money and credit to preserve freedom of enterprise in the "production process". Marx's aim was to bury the current order, not to heal it, and it is too bad that we cannot have his opinion on what the proposed surgery would do to the rest of free competition.

The author adopts Schumpeter's line of argument against the economic character of "imperialism", based upon the age of such imposed relationships. I cannot take the space here to unscramble the deft logic and dubious comparative history which this position involves. If people mean to rebut the argument that "capitalist imperialism" is a feature of "capitalist economy", I for one wish that they would simply do so.

It is the virtues of this interesting and fruitful book that make the criticisms worth mentioning, and neither can be done any sort of justice in a few hundred words. For example, the point that socialism is not necessarily nonimperialist is well argued and timely. Whatever answer one gets, the question whether a free-enterprise economy can survive without expanding is a vital one for long-run planning.

I particularly wish I had space for a full-dress rebuttal of the argument of chapter iii, on "the historians". Even the actual historians here collected mix about like oil and water. At one extreme is what K. R. Popper calls "historicism", or the belief in an indwelling destiny which compels future events to take a certain course, and can be analyzed by looking backward. At the other extreme are interpretations which are economic for convenience and clarity, selecting landmarks which tend to be durable and lend themselves to objective description. This, I contend, is merely the method of science, interpretation meaning only statement in terms familiar to the parties, or most likely to convey without distortion something new to one party. To the charge that others, including first-hand students of dependencies, are "unimpeded by the trained economist's critical attitude" (p. 42), I retort that more than one ranking economic theorist has shown himself unimpeded by direct knowledge of this subject matter. If I have any understanding of scientific method, it requires that theories be checked with the phenomena. My main explanation of the messiness of the literature on dependencies is that library research

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and philosophizing have been out of all proportion to leg-work. More specifically, I cannot accept any Q. E. D. which involves the bodily transfer of the theory of one society to a different one.

The debate as to whether relationships within a society, and between societies, are "essentially" political or "basically" economic seems to me more futile than the old schoolhouse debates on the dog and the gun. In the second case, one may at least hunt with either, but I cannot imagine any fruitful investigation which draws a line between government and economy. I insist that the division of opinion between investigators and theorists *in absentia* is much sharper than that between "trained economists" and uncritical "historians" who merely want "some formula that sounds reasonable." These things are set down because I feel myself a spokesman for many who are tired of having their generalizations from actual cases dismissed as inconsistent with conventional theories about other cases.

Unfortunately, this must seem unfair as a criticism of one book which merely happens to be the one under review. I found Dr. Winslow's study an interesting and valuable addition both to the literature on imperialism and to that on what Popper calls "the open society", namely the type in which the critical faculties of members have a chance to make their contributions. To a review already too long, I should like to add that many economists have a habit of discoursing vaguely on "freedom" when the word "flexibility" seems closer to what they have specifically in mind.

M. M. KNIGHT

UNIVERSITY OF CALIFORNIA

Inevitable Peace. By CARL JOACHIM FRIEDRICH. Cambridge, Harvard University Press, 1948.—xiv, 294 pp. $4.75.

Professor Friedrich started this book with the idea of celebrating the one hundred and fiftieth anniversary of Immanuel Kant's *Eternal Peace.* The product has grown beyond that into an original contribution in the field of political philosophy centering on the idea of universal order under law.

The author takes the current conflict between East and West as his starting point with the goal of resolving the clash in ideologies. He finds that the United Nations Charter is established on an approach to the problem of war and peace that was developed by Immanuel Kant. The authors of the *Communist Manifesto* "carried out the 'idea for a universal history with a cosmopolitan intent'—they undertook precisely what Kant had urged . . . ." Friedrich finds Kant

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and Marx "in a very real sense, complementary to each other in their thought on peace." His conclusion is that the current conflict in ideologies, between capitalism and communism, between East and West, is transcended by the need for a real, lasting, universal peace and that the abolition of war is inevitable.

The body of the book is an examination of this idea. "Its historical antecedents, its philosophical framework, its kinship to the ideology of the United Nations" are thoroughly explored.

As a point of departure, the postulate is taken that the problem of war is a problem of government. The present solution, the United Nations, is compared with Kant's essay on peace in order to discover his most basic premises. These are "natural necessity and freedom under law" which contain a universal moral law, that each of us has an obligation to work for the establishment of lasting peace. Accordingly, history is interpreted "as a slow unfolding of a universal, cosmopolitan order of mankind."

Professor Friedrich, then, with rich allusion, discusses Kant's idea of progress in history and the necessity for moral law. Freedom is described as "the one and only inborn and imperishable right".

In chapter iv the examination is begun on the roots of Kant's ideas. These are in the tradition of the natural law and natural rights. Accordingly, the process of transformation by which medieval natural law became the rationalist doctrine of eighteenth-century absolutism is taken up. All the prominent thinkers are examined within this framework. The Christian tradition is covered through Luther, Melanchthon, Oldendorp, Hooker, Althusius and Suarez. Secular natural law is traced from Grotius through Hobbes, Spinoza, Pufendorf and Locke. The road ends, as might be guessed, with Hume's skeptical attack on the law of nature and Kant's reply.

Here, however, new problems are encountered. Even though natural law was reconstructed, there was the problem of the source of authority—the ground of obligation. Rousseau and his doctrine of the general will is set up against the Abbé Saint-Pierre who believes in the "enlightenment" of princes. Professor Friedrich finds that Kant steps in between the two with a belief in reason and in popular participation in lawmaking. To these is added the categorical imperative which impels the free individual to work for a world order under law.

Since Kant wrote, there have emerged serious difficulties in serving this moral obligation. There are observed different frameworks for decision; such as class, cultural, religious and psychic. In his last chapter the author deals with the contrast between the Kantian and

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Marxian approach to "inevitable" peace. On this particular point he finds the two men complementary. It is here that more work is necessary, as the author well realizes in his chapter note. The earlier historical sections were much more thoroughly written and it is hoped that the "more elaborate analysis" is soon to be forthcoming.

The book concludes with a valuable new English translation of the essay *Eternal Peace.*

There is no doubt that Professor Friedrich has made considerable contribution to the history of the problem of peace. In light of the newspaper headlines, his ideas deserve a much wider distribution, for this book is only for that lay reader "who has dived deeply into the sea of philosophy". But there is no reason why it should not be read by every student of philosophy and used to good advantage by every teacher. It is devoutly hoped that this work will bring the "Inevitable Peace" sooner.

HERBERT MAZA

THE CITY COLLEGE OF NEW YORK

Berlin Reparations Assignment: Round One of the German Peace Settlement. By B. U. RATCHFORD and WILLIAM D. ROSS. Chapel Hill, University of North Carolina Press, 1947.—xii, 259 pp. $3.50.

This first-hand account by Professors Ratchford and Ross of the unfolding of the German reparation problem between September 1945 and March 1946 is an essential contribution to an understanding of the continuing clash of American and Soviet policy over Germany. It is also a valuable casebook on how policies are evolved and on Soviet methods of negotiation.

The Potsdam Conference handed on to the military governors in Germany a set of political and economic principles for the treatment of Germany under four-Power control, and also the general outline of a reparation settlement based upon the confiscation of German assets abroad and the removal of surplus capital equipment. Before the extent of these removals could be determined it was necessary to agree on a level of peacetime production which would allow Germany to pay for essential imports and to maintain a standard of living not superior to the average of European nations except Great Britain and the Soviet Union.

Within the United States Military Government staff in Berlin the negotiation of agreed definitions of Germany's expected population, of the permitted standard of living, of balanced estimates of im-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ports and exports, and the definition of a permitted level of production for each industry, devolved upon a handful of economists, headed between September 1945 and February 1946 by Professor Ratchford. This negotiation, which involved a myriad of complex factors and forecasts, was further complicated by the absence of reliable data on the equipment actually available in Germany and on Soviet removals of equipment, stocks and current production, and by the clash between Soviet and Western economic concepts.

Soviet experience at home and Soviet interests, then as at Potsdam, suggested that the occupying Powers first decide what they wanted to remove from Germany; whatever was left would support whatever standard of living Germany would then have. The American and British view was that the standard of living should be defined and the levels of production and foreign trade decided as a prerequisite for determining what capital equipment would be available for removal. At Potsdam the Soviet authorities had accepted the American approach only after strenuous bargaining and because failure to agree would have deprived them of access to the far larger stocks of equipment in the western zones, and they have never abandoned their own concept of a proper reparation policy. In the upshot the level-of-industry agreement of March 1946 was based primarily on straight political bargaining rather than on an agreed or workable conception of Germany's future economy. No brief review can do justice to the clarity, the fairness and even the sense of humor with which the authors have set forth these critical issues.

When the authors deal with matters beyond their direct knowledge, their analysis is less sure. Berlin was not chosen as the seat of the Allied Control Council in June 1945 (p. 3); it had been selected one year previously. The assertion that President Roosevelt ordered the occupation currency plates given to the Russians over the protests of the American agencies concerned (p. 13) is open to doubt. In any case the representatives of Secretary Morgenthau were determined, much earlier, to hand over the plates without attaching conditions, and did so over repeated protests of the State Department and in full knowledge that this was the surest way to bring on an uncontrolled inflation in Germany.

The authors assume that American planning on reparation started from scratch in the spring of 1945 (chapter iii). In point of fact, detailed recommendations concerning reparation had been worked out and approved in the State Department by May 1944, only to be shoved aside by the unworkable "Morgenthau Plan". Arrangements for Allied control machinery were not agreed on June 5, 1945 (p. 50);

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

officially announced on that date, the agreement had been signed in November 1944. In their discussion of Secretary Byrnes's speech of September 6, 1946 and of the new turn in the reparation problem (pp. 194-96) there is no mention of Molotov's crucial policy statements of July 10 and 11, which threw overboard the entire Potsdam agreement on reparation and again made the demand for ten billion dollars' worth of German reparations a cornerstone of Soviet policy.

PHILIP E. MOSELY

THE RUSSIAN INSTITUTE OF
COLUMBIA UNIVERSITY

German Realities. By GUSTAV STOLPER. New York, Reynal and Hitchcock, 1948.—x, 341 pp. $3.75.

Primarily this book concerns the German settlement after World War II and the consequences of that settlement to the United States, western Europe and the world. In dealing with it Dr. Stolper reveals a profound perturbation which he summarizes in the last section of his last chapter:

> German military history is at an end.... German nationalism will remain high-strung and sensitive for a long time to come....
>
> On the day we organize a Western Germany we set up once again as in the Middle Ages a "march" to protect the West against the East. But this march will have to be defended permanently, and it will not be defended by its own inhabitants....
>
> Washington and London will have to lend every effort to bring about a sincere conciliation between Germany and France....
>
> The tree of liberty grows slowly. . . . German democracy and German liberty can thrive only in a free and democratic Western Europe and as an integral part of it. Liberty and democracy are far from secure in Western Europe. They are endangered not only by the machinations of the fanatically active agents of Soviet imperialism and Soviet despotism. They are endangered also by the still vivid fear of Germany....
>
> But one [idiom] certainly arises from all shadows of doubt: The future of Germany is the future of European liberty. In Germany it will triumph or die.

On the chances of liberty's triumphing in Germany, Dr. Stolper is glum. The German settlement, which he seems to blame largely upon the United States, is one of the worst in world history. It is bad *qua* settlement; it is particularly bad in the complete ineptness with which it deals with the problems of Germany; and it is at its worst when one considers it with respect to the new position it grants the Soviet Union in the West.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

To support his numerous contentions Stolper calls upon a rich knowledge of German politics and economics and documents his book with a great many data, old and new. Some of his contentions seem to this reviewer sound and the facts they rest upon solid and well presented. For example, his main point that the situation in Germany is desperate and of vital concern to the peace of the world is merely underlined by today's press, and the factual background to this situation is imaginatively and firmly based upon a grasp of the realities.

Other of his contentions this reviewer cannot accept. The broad implication that the thoroughly evil settlement might have been wholly otherwise is a rather ignoble piece of second-guessing. There is no sense in pretending that a single omniscient being makes United States policy; there is no sense pretending that even if United States policy on the treatment of Germany had been perfect our Western allies' policy would have been in charge of single omniscient beings who would have agreed with us. There is no sense in pretending that the Soviet Union could have been easily brought into line with a policy made in the West. In short, to imply that the dreary and tragic mess of Germany was entirely the fault of bungling and stupid Western policy makers is to me to take a child's view of the complexities of the modern world.

That the German problem is a tragic mess no one can deny, and the graphic and analytical picture of this mess is the great virtue of the book. Despite the obvious case-making as noted above and some interpretations of modern German history—modern Prussia, the triumph of the Nazis—upon which the reviewer would like to raise numerous objections, this, Gustav Stolper's last work, is an important tract, the main lines of whose pleading should be appreciated no matter how much one will differ with them and with the allegedly supporting detail.

SHERMAN KENT

YALE UNIVERSITY

Father Land: A Study of Authoritarianism in the German Family. By BERTRAM SCHAFFNER. New York, Columbia University Press, 1948.—xv, 203 pp. $3.25.

This is a book by a social scientist, on a timely subject. It is a pity that more books of this kind are not prepared by the people who have the required insights and the necessary data, and rushed through the presses while there is still time to make use of their results. The author is a psychiatrist who knows how to make his special skill applicable to the wider problems of our day.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The theme of the book is the authoritarian nature of German society, as laid down in the family structure, and especially the authoritarian rôle of the father. In Dr. Schaffner's view, this aspect of German national character both made possible Hitler's rise to power and, after the German defeat, left the Germans in a receptive frame of mind, ready to turn to the American occupying forces for the sort of leadership which these forces were unprepared to give them. By failing to apprehend this readiness, he points out, the Allies in general and the United States in particular muffed the opportunity to introduce them to a democratic way of life.

In a chapter entitled "The American Soldier as Educator" we read:

> If Americans had grasped the German state of mind immediately after the war, with its readiness to institute reforms in return for help in reconstruction, or had been emotionally prepared to act upon such an understanding of it, a program of reform and reeducation could have been begun much sooner. The Germans were ideally receptive then, at the very end of hostilities, because of the vacuum left by the complete destruction of the Nazi regime and the German need to lean on some authority. But the occupation troops in 1945 were too much under the influence of the final Nazi propaganda about were-wolves and underground resistance against the Allies. They felt too insecure on German soil to do more at that time than establish occupation safely inside Germany. They were not prepared to change from warriors to teachers (p. 99).

Americans let slip the ideal time for reëducation, they waited until Germany, even though defeated, began to feel important again. Observing the easy, democratic ways between the American soldier and his officers, the Germans asked, "How did your army conquer the magnificent, highly trained German army, without *discipline*?" But the possibility of making up a program, on the basis of material scientifically collected and expertly analyzed, and put to use at the proper time, is not excluded. In fact this book can serve as a study in method, to assist in a more sensible and realistic implementation of our policies should a like necessity again arise.

The method described is that which was used by the Information Control Division of our Military Government in screening personnel, devised by Dr. David M. Levy and afterwards administered by Dr. Schaffner, with some added contributions of his own invention. The techniques include an intelligence test, a Rorschach, a sentence completion test, a political essay, a political analysis interview, a psychiatric interview, and an opportunity for the observation of the candidate's social behavior. We are given a description of the method and enough of the raw data to make the final evaluations come to life. A num-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ber of typical histories are appended, giving the reader the benefit of the psychiatrist's case-history approach. Thus the book can serve as a guide in contemporary methods of studying culture, as well as for its more specific formulation of the problem under consideration—the denazification and demilitarization of Germany.

Dr. Schaffner includes as a part of the relevant information his statement of his own qualifications for making these investigations of the cultural background and educational experience which prepared him for this particular job. He says in this regard:

> The fact that I was born in an American community containing a large percentage of Americans of German descent, as well as first-generation immigrants, was helpful in this study. Moreover, my mother and all four of my grandparents were born in Germany. While on visits to my grandparents, I was a student in public schools in Germany in 1920, 1923, and 1925, during the early years of the Republic. Later I had close contact with exchange students in American universities, and from 1933 on, along with other Americans, had ample opportunity to study the problems of the refugees who were attempting to make their adjustment from German to American cultural patterns. In 1936 I had the fortune to revisit Germany and to see life there under the Nazis at first hand. From March, 1945, I was on German soil again, with the U. S. Army, directly observing German reactions to destruction, defeat, and military occupation by foreign armies (pp. 10-11).

It is a step forward in scientific procedure in the social sciences when the author, in addition to giving us the facts and figures, remembers to tell us something about himself as the instrument through which the data have been sifted. In this instance, the author's interpretation is by his statement given validation and added weight.

JANE BELO

NEW YORK CITY

The Mediterranean. By ANDRÉ SIEGFRIED. Translated by Doris Hemming. New York, Duell, Sloan and Pearce, Inc., 1948. —221 pp. $3.00.

The Mediterranean: Its Role in America's Foreign Policy. By WILLIAM REITZEL. New York, Harcourt, Brace and Co., 1948. —195 pp. $2.75.

M. Siegfried has a long and distinguished record as an analyst of the political and social climate of various countries whither his interests and travels have taken him. Besides his native France and neighboring Britain, he has turned the trained powers of his keen

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

perception to the American continent with results that raise high expectations from this latest study of his. To any one remembering the quality of *America Comes of Age*, this little book is apt to cause a reaction of disappointment which an unfortunate translation will do little to alleviate.

The difficulty may lie in the attempt to cover too much ground in too little space, even though a very narrow definition of the region, including no hinterland, is used. This book does not purport to be a work of scholarship; there is little history in it, nor does it to any considerable degree discuss current issues. It is rather a brief descriptive survey of the more permanent features of the Mediterranean world which would serve as a good companion and introduction to the study of history, whether past or in the making. The treatment is inclusive in scope, chapters being devoted to the physical aspects of the area, geography, soil, climate, natural resources, peoples, which give it its unity and have largely conditioned its development, the whole enhanced by a wealth of literary reference and quotation.

The present significance of the Mediterranean comes under two chief aspects. It has been the cradle of Western culture and, especially since 1869, has acquired enormous strategic importance. This last feature has been a dominant concern of British policy, a situation to which America is now falling heir. But the strategic unity of the Mediterranean represents essentially an "external" view of it which should not blind one to the considerable diversity to be found on its shores.

The lack of coal and iron has been responsible for the Mediterranean being left in relative backwardness since the advent of industry. This raises the interesting question of the degree to which the Mediterranean man, conditioned by his milieu and historic development, may be capable of adaptation to the modern world where power is associated with large industry. Undeniably, there is danger, to the values for which the Western World has stood, in the dominant trend of the past hundred and fifty years, and the question is posed of the possible rôle of the Mediterranean in the preservation of these values. Whatever the answer to these queries, the Mediterranean remains a capital highway of trade and strategy which cannot be isolated from the rest of the world.

These more immediate issues are the exclusive concern of Mr. Reitzel's book. Brief though it is, it could be briefer still, but the treatment is unquestionably clear, to the point, and accomplishes precisely what its title promises. To all intents and purposes,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

America entered the Mediterranean with the launching of the North African campaign in 1942. In American eyes, that campaign was mainly a step in the war against Germany. Lacking the preparation of a historic background of contact, there was little interest in Mediterranean politics and less desire to become involved in them save in so far as they might affect military operations—clearly a very short-range outlook. Such a simple approach could not be maintained for long, and even our initial Vichy gamble brought out the deeper implications of our African intervention. The same applied to Italy and later on to Greece and the whole Middle East.

Mr. Reitzel brings order to what might otherwise appear a tale of hesitancy, confusion and inconsistency. Ever since 1942 America has been gradually and rather reluctantly sucked into a position of increasing involvement and responsibility, our decisions following events rather than shaping their course. The Greek dilemma is a good illustration. Being chiefly concerned with the maintenance of tranquillity in the Mediterranean area and with preventing the chaos which would fill the vacuum left by the too precipitate withdrawal of a no longer adequate British power, we can do little else than take over many British commitments. Had this been a clearly formulated policy, much unnecessary friction, debate, loss of time and ineffectiveness could have been prevented. We should have avoided what seemed to many at the time the brutal abruptness of the Truman Doctrine, a step dictated by the need to act at the eleventh hour in face of an unprepared, because uneducated, public opinion.

Such a method of procedure, however, is at once expensive and inefficient, as developments in Greece and elsewhere have since shown. For America, as for Britain, the Mediterranean as a whole is a matter of world strategy. But, unlike Britain, America does not combine this "external" view with a whole network of interests founded on an "internal" approach—although the recent, but rapidly developing, interest in mid-eastern oil must be remembered in this connection. We lack, and we cannot build up on short notice, the assets of British tradition and personnel. But, short of an unthinkable withdrawal from Europe, or an even less likely Russian retreat, as the author puts it, "the diversified and ardent societies that form the Mediterranean . . . promise to be a long-standing and expensive problem in American foreign relations" (pp. 184-85).

RENÉ ALBRECHT-CARRIÉ

BARNARD COLLEGE

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Balkan Politics: International Relations in No Man's Land. By JOSEPH S. ROUCEK. Stanford, Stanford University Press, 1948.—xiii, 298 pp. $3.50.

When the first edition of Professor Roucek's newly published work on Balkan politics appeared in 1939 as a McGraw-Hill Study in Political Science, it was generally received with deserved appreciation. In its present version as the newest member of the "Stanford Books in World Politics" series, this survey should find even greater use. The author has added to a compact and readable first edition an account of Balkan political history up to December 30, 1947. Beginning with an analysis of the Balkan political pattern and ending with a consideration of Balkan foreign affairs, the book is largely devoted to a political tour of each of the five Balkan countries plus the region of Macedonia. Roucek's factual presentation would seem to confirm the popular impression that the political history of this tragic region is a continuing chronicle of violence, corruption, treachery and tyranny unredeemed by any human virtue save bravery and the patience of an inert peasantry.

Though far from any desire to justify present trends in eastern Europe, the author portrays the contemporary régimes of the Balkans as an extension rather than an interruption of the Balkan past. Roucek sees in Balkan politics down the ages a recurring pattern of basic mores which remains more or less constant despite a change in rulers. In a broader view of the Balkan's place in the world, the author cites Walter Lippmann in support of the contention that "between East and West there has been an iron curtain for much more than a thousand years" running through the Balkans. His analysis of current events leads Roucek to the conclusion that this region is lost to the Western World and the victim of "a spiritual reorientation of which Russia's communism is merely an outward sign" (p. 12). This capitulation is accompanied, however, by the well-taken warning that "for her own safety, America henceforth will have to be directly concerned with the internal and international aspects of the Balkan situation" (p. 293).

Despite its usefulness, Professor Roucek's survey falls short of the mark on several counts. His treatment, particularly of the period after World War II, suffers seriously from the author's apparent dependence on newspaper stories and secondary sources in English, French and German. Roucek's effort to be fair to all sides, though generally successful, has at times unwittingly led him to be unfair to the reader. When, for example, he attempts to mitigate

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Mihailovich's collaboration with Axis troops by pointing to Communist tactics prior to the German attack on the Soviet Union, or when he equates Tito's dictatorship with the far less totalitarian pre-war régimes, Professor Roucek is attempting to equate factors which differ markedly in kind and degree. Again using Yugoslavia as an example, the author's dependence on Western sources leads him to repeat hostile propaganda. Thus when he characterizes the Yugoslav federation of six republics as an attempt to split the supposedly solid anti-Tito Serbs, he creates an erroneous impression. First, the Serbs (though not the Serbs of Serbia proper) have always constituted the backbone of the Partisan movement; second, the fact that the Serbs control three of six federal republics would increase rather than decrease their influence, that is, if this were a question of ethnic hegemony to begin with. The fact that the Chetniks saved American airmen during the war is as irrelevant to an assessment of the present situation as the fact that the Partisans also rescued American pilots. Such anomalies serve to illustrate that the intricacies of Balkan politics, unfortunately, do not lend themselves readily to textbook generalizations.

Finally a regretful protest must be made against the author's inconsistent transliteration, careless proofreading and outright misspelling of Balkan proper names which mar the utility of this as well as other of his works. It must seem a gratuitous annoyance to the already burdened student of Balkan complexities to deal with Dobrogea (p. 63), Dobruja (p. 75) and Dobrodja (p. 296), Roumania and Rumania (both on p. 212), or with Tirnovo (p. 44) and Turnovo (map, p. 42), or Ragusa (p. 83) and Ragusha (p. 112), Gorzia (p. 272) and Gorizia (p. 277), St. Stephano (p. 274) and St. Stefano (p. 275), Filoff (p. 70) and Philoff (p. 65), and so on. Many more such examples serve only to stress the wisdom of adhering to some recognized system of transliteration such as that of the Library of Congress or the *American Slavic and East European Review* (see issue of February 1948) despite their obvious drawbacks.

Still such faults should not obstruct recognition of the fact that Professor Roucek has on the whole fulfilled his introductory promise to present the facts of Balkan politics "fairly and interestingly". Though his treatment of the period after World War II is disappointingly sketchy, it does offer a usable synthesis the value of which is enhanced by the rareness of more adequate accounts. The author's general adherence to simple fact is all the more creditable in view of the controversial nature of his subject.

MICHAEL B. PETROVICH

CLEVELAND, OHIO

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Introduction to Iran. By ELGIN GROSECLOSE. New York, Oxford University Press, 1947.—ix, 257 pp. $3.50.

Iran: An Economic Study. By RAJ NARAIN GUPTA. New Delhi, The Indian Institute of International Affairs, 1947.—169 pp. Rs. 5/8.

Land and Poverty in the Middle East. By DOREEN WARRINER. London and New York, Royal Institute of International Affairs, 1948.—vii, 149 pp. *7s. 6d.*; $2.50.

In recent years the attention of the Western World has been drawn to the Middle East, not, as formerly, merely as a source of historical remains, but because this area has become a vital factor in the world political struggle. Three recent books, two devoted to Iran and one to Egypt and the fertile crescent, discuss the economic and social life of this region.

Introduction to Iran includes a summary of the ancient history of Iran, a more detailed presentation of recent history, and considerable information about the customs, livelihood, politics and morals of the people.

While Mr. Grosclose's discussion of the history and economic structure of Iran is factual, accurate and readable, he betrays a missionary rather than a scholarly approach. For a book which purports to be a short introduction to a largely Moslem country, the treatment of Christian missionary work is in too great detail. There are even digressions into tales of individual conversions to Christianity. It would seem that so much attention to a relatively small factor in the total life of the country unbalances the study and gives a false picture to the reader.

Furthermore, the author's apparent contention that betterment of the condition of the Iranian people will come only with the abandonment of the Moslem religion and absorption of Christian ethic and point of view ignores the possibility of secularization of the social structure.

Mr. Gupta's *Iran: An Economic Study* is an attempt to collect statistics which will give a general picture of the economic life of Iran and to draw some conclusions with regard to the future development of the country. The author's belief that the security and prosperity of Iran will depend upon the growth of a greater degree of industrialization is based upon the fact that Iran possesses considerable mineral and other natural wealth. Unfortunately, however, it overlooks the extent to which a medieval system of land tenure

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and utilization will be a deterrent. Mr. Gupta, who is an Indian, does not think that the Iranian agricultural system is as bad as other observers have noted it to be. He points out that the standard of living of Iranian peasants is not lower than that in other Oriental countries. From the Occidental viewpoint, however, that standard is very low indeed.

This book suffers from a poor quality of editing and proofreading as well as a lack of explanatory notes for the tables given. In such a work, this is a serious fault. The student of Iranian affairs may prefer to turn to the original sources rather than to spend his time checking the data given.

Land and Poverty in the Middle East is a scholarly and well-documented study of land utilization in Egypt, Palestine, Transjordan, Syria, Lebanon and Iraq. The author discusses the use of land from several points of view, including population pressure, methods of cultivation, water resources and government policies, but her special emphasis is on systems of land tenure.

Detailed analyses of the problems of the individual countries show that there are some differences in their systems of land tenure. Throughout most of the area, however, there is a medieval or tribal land economy which is breaking down under the impact of European ideas and economic pressures. The general picture is one of share tenancy, strip farming and wasteful cultivation. Coupled with a dense and rapidly expanding population these have led to conditions of indigence for the mass of the peasantry. Only in Egypt is there extensive governmental interference to increase both the amount of farm land and the intensity of cultivation, and here the extortionate practices of the landowners plus a very rapid rate of population growth combine to keep the farmers in extreme poverty.

Unhappily, the hopes for reform are not very great. Intellectual leaders of the Middle Eastern countries are not showing the interest in the problem which it warrants, and the peasants themselves are fatalistic and resigned concerning their future. Furthermore, the cost of bringing new land into production is high in terms of the yield to be expected. Many hopeful schemes for the Europeanizing of Middle Eastern agriculture seem to be ill-adapted to the conditions of cultivation in Egypt and the fertile crescent which, as Miss Warriner points out, is fertile only by contrast with the adjacent desert. Heavily populated and depending primarily upon agriculture for its economic life, the Middle East is yet not fertile enough to compete in world agricultural markets. The main hope is that the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

wealth from other natural resources, mainly petroleum, may be invested so as to bring assistance to the farming groups and to promote industrialization. As yet, however, the profits from oil have gone primarily into the treasuries of nonfarming areas such as Saudi Arabia or Kuwait or have brought luxuries and greater wealth to the already well-to-do.

ALI AGHASSI

UNITED NATIONS
LAKE SUCCESS

The United States and China. By JOHN KING FAIRBANK. Cambridge, Harvard University Press, 1948.—xiv, 384 pp. $3.75.

There Is Another China: Essays and Articles for Chang Poling of Nankai. New York, King's Crown Press, 1948.—viii, 178 pp. $2.75.

"It is not within the power of the American people to bestow the Mandate of Heaven." This is a key idea in Professor Fairbank's thoughtful book about modern China and the vexed problem of United States policy toward that unhappy country. Neither American strategic plans nor financial or military aid can determine what government or what kind of government will preside over Chinese society. The Chinese people will bestow the Mandate upon that group or party which leads them with, and not against, the current of China's modern revolution. Americans should understand this revolution, its social and historical background, its major elements, the direction in which it is moving. We must formulate a long-term policy which not only serves American interest but also will contribute toward fulfilling the major aspirations of most Chinese. Professor Fairbank has made a fine contribution to that necessary understanding of modern China.

The book is written for the general public. It is a skillful summation of what American scholarship knows—or thinks it knows—about the nature and functioning of Chinese society and about the broad movements in recent Chinese history, particularly in its revolutionary aspects as a result of the Western impact. In his treatment of the controversial issue of Chinese communism, which he places in Chinese rather than American perspective, Dr. Fairbank seems to me more detached and fair-minded than any other American writer of the past decade.

Regarding Professor Fairbank's analysis of Chinese society, I am not convinced of the adequacy of the current theory of a bifurcated

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

society which he expounds. It pictures Chinese society for many centuries as having consisted of an earthbound, static and toiling peasantry separated by illiteracy from a mobile, exploiting and ruling class of gentry, merchants and officials. The theory is useful for exposition, but too rigid to fit the facts. Also it is emotionally loaded. Chinese society shows greater cultural homogeneity and a much more diffused gradation in landowning, literacy and social mobility than this theory accounts for. As compared with the society of Takugawa Japan and its institutionalized class system, with caste-bound India, or with Russian society before the Emancipation, Chinese society was and is relatively free and fluid. On the other hand Dr. Fairbank properly rejects the theory that Chinese society is "feudal". This term has been perverted by Marxian analysis, and is quite inapplicable to China.

The revolution is not yet over. China is faced with grave problems of economic, political and social reconstruction. These problems, which Dr. Fairbank analyzes, flow equally from her past and from her new place in the modern industrial, commercial and ideologically competitive world. America is in a position to assist China in solving some problems with capital and with education in applied science and industrial techniques. But America cannot remake China in its own image. Nor can Russia. This book will assist the American public —and American policy makers, if they will read it—to understand the realities of our contest with communism for the favor of the Chinese people.

The group of essays written in tribute to China's veteran educator, Chang Poling, also deals with the more fundamental aspects of China's modern revolution. The list of contributors is imposing—Ambassador J. Leighton Stuart, Hu Shih, Harold M. Vinacke, A. N. Holcombe, Quincy Wright, J. R. Condliffe, John and Dorothy Orchard, the late Roger S. Greene, J. L. Buck, E. H. Hume, A. W. Hummel, and William E. Hocking. Each writes on a subject to which he can claim authority, but most of the essays epitomize earlier published studies. The most original essays seemed to this reviewer to be Dr. and Mrs. Orchard's analysis of China's economy in transition, and Professor Hocking's "Old and New in Moral Philosophy". Dr. Hu Shih's informal and warm-hearted biography of Dr. Chang throws interesting light on the modernizing of China's education during the past fifty years. On the whole, however, this collection is more for the specialist and library than the general public.

C. MARTIN WILBUR

COLUMBIA UNIVERSITY

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Australian Economy in War and Reconstruction. By E. Ronald Walker. Issued under the auspices of the Royal Institute of International Affairs. New York, Oxford University Press, 1947.—ix, 426 pp. $6.00.

Dr. Walker was, at different times, a Lecturer in Economics in the University of Sydney and Professor of Economics in the University of Tasmania, and he has occupied Australian governmental posts of an advisory or administrative nature. Opportunities have been afforded him, in this way, for studying the Australian economy in both its theoretical and practical aspects, and he has turned these opportunities to advantage in the preparation of his book, now under review. Very wisely he enlisted the assistance of others—not overlooking academic colleagues—in the compilation of a publication the subject of which is so wide in its scope. This applies especially in reference to those legal and constitutional questions which are introduced into the study—matters palpably outside the field of one whose training has been that of an economist. In the result an informative piece of work has been produced, which should prove of value particularly to those not familiar with the details of events of recent years in Australia.

The book is essentially an essay in Australian contemporary history, lucid in style and expressive of a shrewd understanding. Controversial matters are set out or recorded in a fair, non-disputatious manner, leaving the reader in no doubt as to the main points in issue. Massive as it is in its dimensions, the book is capable of sustaining to the end the interest of those into whose hands it comes.

The work is divided into three parts. In Part One the author draws a picture, in broad outline, of the Australian war economy. He sketches, by way of background, the economic structure in Australia at the time of the outbreak of hostilities in 1939. Changes injected into the Australian economy when enveloped by total war are denoted, as also the methods used in dealing with the new administrative problems associated with the reshapings in that economy. Some of the implications of the defense power under Section 51 (vi) of the Constitution in conditions of emergency as revealed by decisions of the High Court are stated. It was by reason of the support accorded by these decisions that the Commonwealth was able to achieve what was tantamount to an effective dominance in the Australian federal scheme in the war period, and to mold the economy to its own liking without serious limitation from state authority.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

In Part Two the author furnishes particulars of important wartime changes—notably the development of factory industries and their reorganization in the light of the national exigencies, the altered basis of rural pursuits and the formulation of a food policy adequate to the needs of the occasion, the doctrine and mechanics of the recast finance (including the restrictions imposed upon the operation of the trading or commercial banks), the institution of price control and its eventual stabilization, the supervision of management in industry, the regulation of manpower and the conservation of the labor supply, the adjusting for civilian requirements and the arrangements for consumer rationing, and the modifications that were deemed necessary in the composition and direction of Australian overseas trade.

Part Three (comprising approximately one fifth of the total contents of the book) is devoted to an account of some of the more pressing of Australia's post-war problems, and her approach to them. The author's treatment of these problems—except as regards employment—is, however, cursory. In this section of his work Dr. Walker is least satisfying.

For a production of such proportions errors are remarkably few; most unfortunate, perhaps, are mistakes in the citations in footnotes in chapter iv. Omissions there are, and it may be ungenerous, in the circumstances, to draw attention to the fact. Since, however, Dr. Walker has acknowledged that "the supreme problem of post-war reconstruction would lie in the field of industrial relations" (p. 345), a reviewer may be pardoned for pointing out the almost entire absence of any consideration of the matter of joint employer-employee consultative machinery, or of incentive payment arrangements in industry, in relation to Australia's experience or to her future planning.

Orwell deR. Foenander
The University of Melbourne

Foundations of Tudor Policy. By W. Gordon Zeeveld. Cambridge, Harvard University Press, 1948.—vii, 291 pp. $5.00.

This is a serviceable book, but its title is much too pretentious. Actually, it deals in the main with two rather obscure Tudor figures who played some part in the propaganda campaign directed by Thomas Cromwell against the old church and in favor of the new. The two men in question are Thomas Starkey and Richard Morison. A third figure, that of John Ponet, is dragged in toward the last, but his connection with the other two is rather tenuous. The integrating factor seems to have been not so much a communion of ideas but rather the more or less fortuitous circumstance that Starkey and

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Morison at least were scholars together in Wolsey's college at Oxford and were later of the group which gathered around Reginald Pole at Padua. Pole indeed, and to a lesser degree Thomas Winter, Wolsey's illegitimate son, appear to have been the focal-points for English scholars abroad in the 1520's.

Both Starkey and Morison were good scholars and Cromwell's interest in them probably proceeded from his hope that they might be instrumental in winning Reginald Pole to support the royal position in the quarrel with Rome. As a matter of fact Starkey's term of favor at the King's court seems to have terminated abruptly when Pole took a definite stand against the king in 1536.

All that we have of Starkey's efforts as a propagandist is one pamphlet, published anonymously, probably in 1535. Its interest for Dr. Zeeveld lies in the fact that Starkey, under the influence of Marsiglio of Padua, and following a line which had already found expression in Germany, undertook to harmonize the essential unity of Christendom and the royal control of the national church by distinguishing between the basic immutable principle of the faith in matters such as church ritual and church government which he designated as adiaphora, or things indifferent. It was the line afterwards followed by Richard Hooker who more than any man defined and justified the Anglican position. Certainly it did not originate with Starkey, and certainly Hooker did derive it from Starkey. Erasmus had made much of it earlier, and the more moderate spirits in the Lutheran movement, Melancthon particularly, regarded it as a satisfactory basis for compromising differences in the Lutheran church. Even Thomas Cranmer seems to have anticipated Starkey's position (p. 141).

From the evidence Dr. Zeeveld has himself adduced, the indications are that Cromwell suggested the line to Starkey at about the time when Cromwell was trying to strengthen Henry's position by accomodation with the German Protestants. To assume therefore that Starkey laid the foundations of Tudor policy is straining the evidence very far indeed. It is, however, an interesting fact that Starkey did formulate it.

This is the first important point which Dr. Zeeveld makes. A second point has to do with the propaganda addressed to the rebels at the time of the Pilgrimage of Grace. Morison was in this case the instrument, and part of his argument was addressed to the objection of the rebels to the new men like Cromwell who surrounded the king. Morison undertook to justify the choice of these men, not

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

on the grounds of obedience to constituted authority, but on the principle that not nobility but ability was the sound basis for distinction. Zeeveld maintains that Morison in this position was anticipating a new social freedom—the career open to talents of a later time—but the argument is not conclusive. Morison's position reduces itself to no more than a philosophical justification of the rise of a new class of royal servants selected for their capacity and fidelity rather than on old feudal grounds. There is nothing new about it. The prototype of Thomas Cromwell may be found as far back as Thomas Becket. To regard it as "an unmistakable democratic challenge in the 16th century to the authoritarian tradition" is altogether inconsistent, both with King Henry's purposes and with Morison's character. He was no harbinger of a new era; he was simply a clever royal sycophant, with a classical background and a facile pen.

Why John Ponet was drawn into the book at all is a little difficult to understand except that Ponet and Morison were fellow exiles at Strassburg during Mary's reign. Ponet never belonged to Pole's group. He was one of Cranmer's men. The interesting point which Zeeveld raises is that the ideas set forth by Ponet in his *Treatise of Politique Power* were derived from Thomas Starkey's *Dialogue*... Dr. Zeeveld suggests that Morison transmitted Starkey's ideas to Ponet. Actually, Starkey in his *Dialogue* did suggest popular limitations on the royal power which more or less anticipated Ponet's position. But Starkey's *Dialogue* was not printed until centuries later. Apparently only one manuscript of it has survived. There is no proof that Morison ever saw it; certainly no evidence at all that "Ponet was reading it in 1555" (p. 260), some twenty years after it was written. Very likely Ponet got his ideas from quite a different source, perhaps from Christopher Goodman or Francis Hotman, both of whom were in Strassburg at the time and both of whom wrote in the same vein later. As a matter of fact Goodman had anticipated Ponet's basic position in the questions he submitted to Calvin in 1554 (Garrett, *Marian Exiles*, p. 164).

It is a pity that Dr Zeeveld did not content himself with dealing with these rather obscure figures, about whom he has found many interesting facts, without enlarging them to major proportions. The extravagant claims he has made for them—to wit: that they were the first to sound the consciously nationalistic note (p. 7); that they laid deep enough the foundations for the state church to last beyond the Commonwealth (p. 10); that they made the most significant and enduring contributions to intellectual history in the Tudor period (p. 115)—he certainly has not substantiated.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Incidentally he adduces some interesting additional evidence about the knowledge of Machiavelli in England. Morison was steeped in Machiavelli and is apparently the first English writer to have referred to him in print, some twenty years before the examples cited by Meyer and by Praz.

CONYERS READ

UNIVERSITY OF PENNSYLVANIA

Conservatism in Early American History. By LEONARD WOODS LABAREE. New York, New York University Press; London, Oxford University Press, 1948.—xiii, 182 pp. $3.75.

Heretofore, the liberal traditions of the American Revolution have colored most of the interpretations of early American history. Writers such as Parrington and Beard, who described at some length the clash of liberal and conservative forces, portrayed the democratic leaders as the heroes of the play, and put in the conservative elements as a rather dull background to set off the work of the laborers for progress and change. Professor Labaree has now undertaken a pioneering task—that of presenting a synthesis of early American conservatism. Since such words as radical, liberal and conservative have varying connotations, it was necessary for Mr. Labaree to make his own definitions. If there is a serious weakness in his generally admirable study, it arises from the inclusiveness of his definition of conservatism: "the attitude of a person who tends to support the existing state of affairs in any particular aspect of social relationships in opposition to efforts toward modification. Conservatism, as here used, is an attitude of mind that tends to promote resistance to change."

Throughout the greater part of his work, Mr. Labaree uses a more precise, less generalized conception of conservatism. He associates the attitude principally with the men of greatest wealth. "Being, in general, the beneficiaries of the existing state of affairs they were naturally anxious for it to continue without material change." Applying this conception, Mr. Labaree devotes the first essay to the ruling (i. e., wealthiest) families; the second to the largest landowners and to the most opulent merchants. He presents a careful study of membership in the governor's council, which proves that that body, in all the colonies outside New England, was monopolized by the families of the greatest means. The relation of such membership to wealth and station appears in the fact that the council, in most colonies, granted the unoccupied land. Consequently, control

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of the council gave command of one of the chief means of creating title to new private wealth.

The large property owners, striving to exercise political control in their respective colonies, favored aristocratic practices and frowned upon democratic tendencies and egalitarian ideas. "The ignorant vulgar", wrote John Randolph, "are as unfit to judge of the modes, as they are unable to manage the reins, of government." So, also, conservatives sought to preserve the relationship of superiority and submission among the existing social classes. The Reverend Jonathan Boucher observed that "men . . . differ from each other in everything that can be supposed to lead to supremacy and subjection, *as one star differs from another star in glory.*" Most conservatives, accepting the theory of a balanced government of monarchy, aristocracy and democracy, wished to exalt the power of the king (as represented by the royal governor), or to aggrandize the aristocracy (as exemplified by the council), and to deflate the democratic influences which asserted themselves in the assembly. Since the British government in 1775 was heavily weighted in favor of monarchy and aristocracy, it was natural that most conservatives became Loyalists. "The Loyalists were, above all others, the prime examples of the colonial conservative."

The conception of conservatism sketched above is consistent with the facts of the colonial era. Mr. Labaree, however, is on questionable ground when he identifies conservatism with resistance to change, per se. Men who were conservative on social and political issues were the leading innovators in the fields of fashion, manners and ways of living. They certainly did not defend the political status quo when their leveling enemies were in office. And, moreover, institutions which were essentially democratic did not command the support of conservatism simply because they were part of the "existing state of affairs."

Mr. Labaree describes colonial education—particularly in the colleges — as conservative, mainly because there were no material changes in the curriculum. Yet most of the colleges, in 1775, supported the American cause, in opposition to the Loyalists, "the prime examples of the colonial conservative." Inasmuch as the Anglican Church and the Puritan Church were both established in law and were a part of the status quo, Mr. Labaree links them together and describes them as generally conservative in attitude. It is submitted that, as regards origin, character and influence, the Puritan Church was the more democratic of the two. It is also doubtful whether Mr. Labaree's idea of membership in the council as a test of conservatism applies accurately to Massachusetts and Connecticut. In

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

those colonies, the councillors were elected, and they did not possess the coveted privilege of creating private wealth through the power of granting land.

The above criticism should not detract from the fact that Mr. Labaree has made a contribution of the first rank. His study is interesting to read and highly provocative of thought. The extensive research and knowledge behind it inspire confidence in its statements, and give it vitality and the quality of unaffected assurance. That Labaree has included so many new and pointed illustrations and quotations signifies that he had a large fund of original material to draw from. The writing is so clear and forceful that one never doubts the meaning. The work, as the best treatment of its very important subject, ought to stand as a classic. With a wealth of suggestion and insight, it presents striking summaries of major themes, such as the excellent résumé in chapter 5 of the political thought of colonial leaders and the restatement in chapter 6 of the issues of the Revolutionary war. The essays open a new field of inquiry and will probably exert a strong influence on future research. There is never any doubt of the author's fairness, accuracy and objectivity.

CURTIS P. NETTELS

CORNELL UNIVERSITY

The Age of the Great Depression, 1929-1941. By DIXON WECTER. New York, The Macmillan Company, 1948.—xii, 362 pp. $5.00.

This is the best single-volume general account now available of those crowded and confused years between the crash of 1929 and Pearl Harbor. Other studies such as *Depression Decade* by Broadus Mitchell in "The Economic History Series", or Frederick Lewis Allen's *Since Yesterday*, make more detailed contributions, for example, in certain economic and social areas, but Wecter with a broad approach and a surprisingly impartial and unbiased hand covers a very wide variety of aspects of the period. The two main themes are naturally the Depression and the New Deal and both are covered in a comprehensive way. We find included not only the general story of the politics and the economics of these years, and the conflicting philosophies behind them, but also some attention to foreign affairs, some discussion of education and recreation and conservation, racial problems, science and art, literature and the movies, religion and morals. In this respect the volume is a worthy addition to the twelve volumes of the Schlesinger-Fox "History of American Life Series" whose general style and format it continues.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

One of the contributions which this type of volume makes—and a contribution, incidentally, which always comes as something of a surprise—is in calling attention to so many aspects of this recent past which have been practically forgotten. Some of the individual items are in themselves quite unimportant, such as the fact that "plowing under" was first proposed by the Federal Farm Board in Hoover's day, or the enthusiasm with which the "technocrats" were hailed as saviors, or the "Great I Am" movement, or the "beano" and "bingo" crazes. Cumulatively, however, these and a hundred other half-forgotten moods and acts do describe the way in which the American people faced up to economic crisis and the threat of war. Such an account as this may help the nation profit by these earlier experiments in recovery and reform.

Wecter's handling of the New Deal years is admirable. A goodly number of American historians have been so strongly on the side of the New Deal that all their pages—even when dealing with such a subject as the Jackson period—seemed to vote constantly for F. D. R. These pages are more impartial. Wecter explains the trial-and-error method which resulted in having much of the New Deal legislation "legally nullified, willingly scrapped, or drastically modified." He points out that the New Deal "did not, and apparently could not, solve the basic recovery problem." Yet in the field of relief its achievements were solid and extensive and "its level of public trust singularly high and its leadership sincere." The emphasis is placed not so much on the answers and the solutions as upon the new and right sort of questions which were raised. Wecter sees Franklin D. Roosevelt's contribution, like that of Jefferson, not so much in terms of any particular program as in the realization that each generation must solve its problems anew and that working solutions can be found under the democratic system.

Students of government will note that the author finds one of the most important results of the depression to have been the opportunity it afforded for the modernization of the federal government. "Under the New Deal", writes Wecter, "Capitol Hill and the White House replaced Manhattan and Wall Street as the nation's cerebral cortex." He quotes President Roosevelt to the effect that a government strong enough to give people economic security was essential to keeping the people "strong enough to maintain its sovereign control over government."

Wecter has written a well-documented, descriptive volume. It can be criticized as weak on the interpretive and philosophical side,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

lacking perspective and insight, with too much narrative and too little inquiry. Despite this fact it is a very useful volume, the more so perhaps for teachers who may wish to develop the interpretation and elicit discussion of what the moral may be.

ALLEN R. FOLEY

DARTMOUTH COLLEGE

Farming and Democracy. By A. WHITNEY GRISWOLD. New York, Harcourt, Brace and Company, 1948.—ix, 227 pp. $3.00.

This interesting book is devoted to a discussion of the proposition that "the nature of the American state requires the preservation of the small, owner operated, family-size farm."

The first half of the book is given to a discussion of the Jeffersonian ideal; the British and the French experience. It is pointed out that Jefferson's original interest in land was political and social rather than economic. He held to the theory that the small landholder was the most precious part of a state; that to preserve democracy we must maintain the predominance of the small landowning farmer.

For Great Britain, the failure of the English Small Holdings Acts of 1892 and succeeding years to increase the number of small holdings is pointed out. The conclusion is reached that the present British policy is that the primary function of agriculture is the production of food as economically and as efficiently as possible. If this means larger farms, then that should be the trend.

While Great Britain ignored the Jeffersonian ideal, France distorted it and made a fetish of the small peasant farm. However, the author concludes that the plain implication of the statistics and the economic policies contemplated by the French government in 1946 was that agrarianism and individualism had been carried too far—that democracy as the French construed it enabled the peasants to maintain their own *ancien régime* long past its time. Democracy did not flourish in England until the political power of the agrarian democracy had been broken, and British agriculture had been deliberately discounted as a way of life. To the extent that it can be said to have flourished in France, it did so in spite of the agrarian community rather than because of it.

The author concludes that the British experience shows us that it is possible to reduce the farm population to an irreducible minimum, and small, owner-operated family-size farms virtually to extinction, and still have democracy. In contrast France shows us that it is

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

possible to maintain a maximum farm population and carry family farming to its extreme logical conclusion, and all but lose democracy in the bargain. As for the United States we seem to have resolved to achieve an optimum farm population whose characteristic unit of production is an efficient family-size unit.

In his concluding chapter under the heading of "Prospects" the author appraises the trends of thinking in the United States as reflected by the policies and statements of farm organizations as well as the Department of Agriculture and the land grant colleges. The strongest claim of the family farm on democracy the author believes is that it is still the outstanding form of individual economic enterprise, it is not necessarily doomed by technology. Rather, the family farm, if it is to survive, must carry out a relocation of productive resources within agriculture in keeping with present and prospective demand. The final conclusion is that the lesson is plain in history. Family farming cannot save democracy. Only democracy can save the family farm.

This book is a distinct contribution to the volume of thought being developed relating to agricultural policy. One misses any reference to the tenure data as developed by the 1945 census. The book is well documented with references.

J. I. FALCONER

OHIO STATE UNIVERSITY

City Region and Regionalism: A Geographical Contribution to Human Ecology. By ROBERT E. DICKINSON. New York, Oxford University Press, 1947.—xv, 327 pp. $4.75.

In the words of the author, who is a reader in geography at the University of London, the purpose of this volume is "to indicate something of the pattern and fabric of those spatial associations in western Europe and the United States upon which such planning and reconstruction [the division of Britain into regional administrative areas and the creation of a new pattern of decentralized government] *should find its basic geographical foundations*" (p. 318). The task as executed is considerably less ambitious. What the author has prinicipally done is to summarize what a number of geographers and some others have had to say about socio-political boundary lines, especially urban and other administrative—and usually artificial—limitations to space.

What is perhaps most unique in this volume is the combination of subjects linked together in the title but separately discussed. Part II reviews various concepts about the process of urban growth. That

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

there are distinctive functional differentiations within a city, and that these tend to develop spatial differentiations as well—such as heavy industrial, wholesale trade, retail trade and general service, and low-income and middle-income residential areas—we have long realized. That the geographer should find something especially worthy of study in the internal layout of the city comes as something of a surprise. Perhaps some of us in this country have unnecessarily distinguished the urban land planner from the geographer.

If the reviewer understands Mr. Dickinson's suggestion, it is that the internal physical layout of a great urban center is the proper starting point for studying the relations of the city to the surrounding area which it services, or which projects further some of its own functions. Here is a challenging idea; but the author does not pursue it. Rather the discussion of the interrelationship of urban community and surrounding hinterland follows familar patterns.

Indeed the sense of familiarity throughout the volume is inherent in the author's method. He has read widely in German, French and American, as well as British, treatments of urban land characteristics, including the rôle of the city in its surrounding area. He has summarized rather than critically reviewed this literature; he does not adapt it to the development of any thesis of his own. Since the volume was substantially completed before the war began, much of the material seems dated.

The chapter on regional planning in the United States certainly suffers from a lack of realism. The author has been misled into the belief that many of our reports, such as those of the late National Resources Planning Board, represented actuality. Instead, too many of these volumes unfortunately presented ideals which have not been realized, and which perhaps are not even realizable. How the geographer can or should advance the consideration of the region as an alternative area for governmental operation somehow midway between the extreme centralization of the nation and the diffuse localism of state and county and city the author in nowise makes clear.

Perhaps this judgment is unduly severe. To many persons the concept of an urban geography itself may be relatively new. The excitement of discovering the interralationships of people and their environment—both natural and man-made—may still be an experience for many yet to anticipate. This volume can be used as a convenient starting point. Afterwards, the excitement can still be awaited.

JOHN D. MILLETT

COLUMBIA UNIVERSITY

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

BOOK NOTES

The interest of *The Constitutions of Colombia*, by William M. Gibson (Durham, Duke University Press, 1948; xii, 478 pp. $6.00), lies mainly in the fact that it records the rich variety of constitutional experience which Colombia has had during its national history of about a century and a quarter. The record merits careful attention because Colombia is one of the larger Latin American states and has been one of the most stable and democratic in the present century, and because at most times in its history it has had capable, informed leaders. These have borrowed freely from foreign countries, especially the United States and France, but have generally sought to adapt the importations from abroad to the peculiar needs, capabilities and limitations of their fellow countrymen. The volume consists of an English translation of the several constitutions of Colombia, each of which is prefaced by Gibson's description of the historical background and the political organization for which it provides. Twelve constitutions, beginning with that of 1811, are thus presented; but, as Gibson explains, one of these (the Pact of Union, of 1861) was designed only to serve as a stopgap, and two (the codification of 1936 and 1945) were not new constitutions but, in effect, revisions of the Constitution of 1886. There is also a selected bibliography and an index to the constitutions. The author's own introductory sections are not indexed. This is particularly regrettable because these sections form the only detailed account of these constitutions in English. For the majority of readers in the United States the most interesting themes in the constitutional history of Colombia are probably the conflict over federalism in the nineteenth century and the extension of government intervention in the economic and social fields in the twentieth century. The latter theme is handled quite adequately by the editor, though he erroneously describes the radical Jorge Gaitán (whose assassination provoked the uprising of April 1948) as the candidate of the moderate liberals in the presidential election of 1946. The conflict over federalism is described in far greater detail and much of what is said is accurate and enlightening, but the discussion is often too legalistic to be of much interest or value for most readers. For example, Gibson comes back time and again to the question whether the government established by one constitution or another

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

was truly federal. Again, he argues at considerable length (following a Colombian authority) that the government which Colombia has had since 1886 was one which combined "political centralization" with "administrative decentralization". This is technically true, but misleading to the uninitiated. For practical purposes, the Colombian government is centralized to a very high degree. It was partly because of this fact that in his last message to the Colombian Congress in 1946 President Lleras gave it as his carefully considered opinion that the party system of government is not feasible in Colombia. In the main, Gibson has done a good job and his book will be very useful to students of Latin American history and politics and of comparative government. More books of this kind about Latin America would be welcome.—ARTHUR P. WHITAKER, University of Pennsylvania.

The presentation in English, in one volume, of the constitutions in force in the twenty-two countries of the Western Hemisphere—*The Constitutions of the Americas (as of January 1, 1948)*, edited by Russell H. Fitzgibbon, Cullen B. Gosnell, William A. Strozier and William B. Stubbs (Chicago, University of Chicago Press, 1948; xx, 847 pp. $10.00) — renders a distinct service to students interested in history, political science and constitutional law. Dr. Fitzgibbon and his associates have carried out their task in an efficient and painstaking manner. The translations are as literal as possible and reflect very clearly the meaning as expressed in the original language whether it is Spanish, Portuguese or French. It has been many years since the only collection of the Pan-American constitutions in English was published and, as a consequence, this volume is most timely, particularly in view of the fact that half of all the countries have adopted new charters during the past decade. Only one constitution, that of the United States of America, dates from the eighteenth century, and only five, those of Argentina, Canada, Colombia, Costa Rica and El Salvador, were adopted during the nineteenth century. To most of these, numerous amendments have been added. The documents vary considerably in length. Those of two countries, Brazil and Cuba, occupy seventy pages or more of the book, while those of Paraguay, the United States and Argentina fill from thirteen to eighteen pages. The remainder are between these extremes with an over-all average of thirty-six pages. In these constitutions there are set forth the basic principles which govern the life and activity of the peoples of the hemisphere in their political, economic and social relations. Besides the texts there

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

is a brief historical note regarding the several charters adopted by each of the countries. The Introduction comprises a study entitled "Constitutional Development in Latin America: A Synthesis", by Dr. Fitzgibbon, which is reprinted from the *American Political Science Review*, June 1945. There is a selective bibliography of articles in English regarding constitutional development and problems of the several countries. It might have added to this bibliography and been useful for comparative purposes, had the earlier collections of the Pan-American constitutions either in English or Spanish been included. The volume is of excellent format. It will be most valuable to American scholars, particularly in making comparisons of the constitutional precepts in the different countries at the present time, and hence the editors and translators are to be congratulated on its publication.—ROSCOE R. HILL, Washington, D. C.

Japan's Influence on American Naval Power, 1897-1917, by Outten Jones Clinard (Berkeley and Los Angeles, University of California Press, 1947; iv, 235 pp. $3.75), is an important and useful book that will serve both as corrective and complement to A. Whitney Griswold's classic. As a corrective it presents some convincing evidence that the Open Door policy has been consistently maintained and defended for the protection of true American interests. As a complement it demonstrates that between 1897 and 1917 "the entire national strategy of the United States in the Pacific was given a new unity and a new direction by the emergence" of Japan as a "probable enemy". The General Board of the Navy, established in 1900 under Admiral Dewey, recommended in 1903 that the United States build a fleet equal to or superior to any in the world—a proposal easier to proclaim than to implement. It is Mr. Clinard's view that it required a concatenation of events largely outside our control in the years that followed to bring us to the great Naval Appropriation Act of 1916. Always it was Japan that brought us closer, he staunchly insists. After the Russo-Japanese War, Theodore Roosevelt looked upon the defense of the Philippines as the answer to our Pacific security requirements. However, when Japan and Russia composed their differences in 1907 and the disarmament movement at The Hague failed, the United States turned to coöperation and joined the Four-Power Consortium in China. When that collapsed and Japanese aggression on the Asiatic continent continued, further naval construction was authorized, and Woodrow Wilson urged independence for the vulnerable Philippines. World War I upset the balance of power in the Orient in favor of Japan which promptly foisted the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

famous Twenty-One Demands upon China. The bankruptcy of our diplomacy without a navy to back it up was now clear and Congress came at last to the view long held by Roosevelt, Taft and Wilson that a powerful fleet was the sine qua non of our security vis-à-vis Japan. Mr. Clinard supports his thesis with heavy levies upon the published accumulations of diplomatic and Congressional documents. Yet one may well wonder how completely wedded were our policy and interest even in 1916, in view of our failure to protest vigorously the Japanese seizure of the German islands in 1914 and in the face of Secretary of State Robert Lansing's apparent failure even to discuss the subject with the British later on. In the light of the author's contentions this can only be considered a diplomatic aberration of the first magnitude. Also, Mr. Clinard has made no attempt to relate the passage of the Naval Act of 1916 to the struggle for neutral rights then in progress in the Atlantic. While Congressmen were being awakened to the real dangers inherent in the Far Eastern situation they probably were more impressed by German sinkings and followed more closely the reports of the Battle of Jutland that arrived during the debates on the bill. The lengthy bibliography is valuable for its listing, among other sources, of French, German and Russian items, but it contains no reference to the vast collection of Navy records in The National Archives which seems to have been overlooked.—HENRY F. GRAFF, Columbia University.

The controversy precipitated in 1945 by the demand of United Automobile Workers that General Motors Corporation raise wages without raising prices centered public attention on the growing conflict between organized labor and management over the extent of union participation in management. This is not a new problem in one sense. For years unions in the clothing, glass, pottery, building and printing industries have participated in varying degrees in functions which have generally been considered those of management. Until recently, however, no study has been made of the conflict which has developed in large corporations particularly since the rise of the C. I. O. In *The Union Challenge to Management Control* (New York and London, Harper & Brothers, 1948; ix, 338 pp. $4.50) Professor Neil W. Chamberlain of the Labor and Management Center, Yale University, has explored the problems resulting from "the impact of collective bargaining on managerial authority and function, with its legal, economic, technological, and political implications" (p. 10). He confines his study to the "large corporations" which he defines as those possessing assets of approximately $50,000,000. After an introduc-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tory chapter dealing with the problem, a second chapter deals with "Management in Theory and Practice". There then follow chapters on "The People of Management", "The Degree of Union Penetration of Managerial Areas", "The Union in Management", and the "Boundaries of the Union in Management". The remaining chapters analyze the historical, legal and institutional perspectives and elaborate Professor Chamberlain's thesis in the terms of his colleague, Professor Bakke, on the need for better integration of unions in the management of enterprise. Four appendices deal with union penetration of managerial areas in automobiles, steel, meat packing and public utilities. Basic to the problem to which Professor Chamberlain addresses himself is the fact that "virtual unanimity of opinion exists among the union leaders that any managerial decisions or authority threatening the security of workers must be regulated. They interpret security in a broad sense as anything affecting the material wellbeing of the membership" (p. 89). These may be contrasted with the views of a prominent industrial relations director quoted by Chamberlain who stated: "Management must continue to resist the encroachments of labor by all the power within its means" (pp. 137-138). Professor Chamberlain believes that a system of shared responsibility and authority based on mutual recognition of the fact that free labor and free management cannot exist without each other is the only hope for survival. He has written an excellent book based on considerable research and careful analysis. His conclusion, whether or not one agrees with it, is worthy of the most careful consideration. "The primary conclusion of this study is that the roles of management and union in the large corporation cannot be defined by a differentiation of spheres of mutual or exclusive interest in the operation of the business. Solution of the problem of union-management relations must be based on a functional integration which conceives of the enterprise as composed of its various interest groups and builds its organization around them and encompassing them" (p. 257).—HERBERT R. NORTHRUP, New York School of Social Work, Columbia University.

Arthur H. Reede's *Adequacy of Workmen's Compensation* (Cambridge, Harvard University Press, 1947; xxiii, 422 pp. $5.00) recalls Fourier, by odd contrast. Without one whit of complacency (the state of American workmen's compensation does not warrant indulgence), it is permissible to remark upon the considerable distance we have traveled during the past century. There is, after all, a world of difference between the romantic retreat of Brook Farm and

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

kindred settlements of enlightened Americans, before the moral and physical squalor of eastern industrialism stirring in eager response to our frontier adventures, and our recent pragmatic awakening to the vital challenge of this same industrial order, hugely grown. Professor Reede's book is a good example of the latter approach. It is the result largely of a study made in 1937-1939 under the auspices of the Harvard University Committee on Research in the Social Sciences. This volume is not intended as a general work on industrial accident insurance, in view of the existing studies of Hobbs and Dodd and Dawson. Rather, attention is centered upon a group of crucial problems revealed in the development of American compensation insurance. Thus, the book is divided into five main parts, covering selected trends in American workmen's compensation up to 1940. Coverage, benefit structure, benefit scales, costs, and accident prevention are subjected to detailed analysis. In the furor of partisan interests struggling to pull workmen's compensation this way and that, Professor Reede maintains admirable balance in dealing with his selected problems. For the most part, the record is allowed to speak for itself. The author pleads that the common interests of employers and employees are particularly large in matters of workmen's compensation. He cannot, however, deny that a deterrent policy has prevailed, giving rise to a narrow view of responsibility for industrial injuries, and resulting in a multiplicity of tortured, not to say irrational, legal prescriptions. A reviewer brings to his scrutiny of a study of this sort his own interests and sense of reality. In view, however, of the author's own statement (p. 175) that medical benefit scales have progressed more than compensation scales, it is not carping to ask for a more extensive treatment of medical care than is provided in one brief chapter on "Medical Benefits". Medical care is close to the core of the compensation mechanism. "Medical care is required not only for the relief of suffering due to industrial injury, but to restore the earning capacity of the injured as rapidly and as completely as possible", states the author (p. 156). True indeed, but the material aspects of the problem comprise an incomplete picture of the harm wrought. Inaction in our society is deemed close to sin. The spiritual damage of physical handicaps in a labor market that sternly rejects the lamed suggests a damning indictment of a system of compensation largely indifferent to other than dollars-and-cents aspects of industrial injuries. The crimes perpetrated by the professional slovens who have forgotten the theme of their Hippocratic oath complicate the provision of medical benefits almost beyond hope. The cruel mockery of treatment in the compensation clinics that

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

act for the employer or insurance carrier is the concomitant of collusion between worker and doctor intent upon exploiting an industrial injury. There is little to choose between these two forms of prowess. Probably the clinics should be condemned more because they are highly developed institutional denials of the social purpose of workmen's compensation. In sum, Professor Reede's competent work earns a place for this volume as a basic study in the field of workmen's compensation.—Jacob Loft, Brooklyn College.

Note: Professor Frank Tannenbaum's essay in this issue is a condensation of a chapter in his forthcomng book entitled *The United States and Mexico*, to be published by the Harvard University Press, under the editorship of Sumner Welles. [Ed.]

The following volumes in COLUMBIA STUDIES IN HISTORY, ECONOMICS, AND PUBLIC LAW have recently been published, or are now in press.

543—*The Development of the Law of Belligerent Occupation, 1863-1914.*
By Doris A. Graber. Price, $4.00

545—*The Movement to Americanize the Immigrant.*
By Edward G. Hartmann. Price, $4.00

546—*State Intervention in Great Britain: A Study of Economic Control and Social Response, 1914-1919.*
By Samuel J. Hurwitz. Price, $4.00

547—*The Animating Pursuits of Speculation: Land Traffic in the Annexation of Texas.*
By Elgin Williams. *In press.*

548—*The New York Triumvirate.*
By Dorothy Rita Dillon. Price, $3.25

549—*The Church-State Relations in Guatemala.*
By Mary P. Holleran. *In press.*

550—*The Economic Theory of Cost-of-Living Index Numbers.*
By Melvile J. Ulmer. *In press.*

551—*Wartime Economic Planning in Agriculture.*
By Bela Gold. *In press.*

The entire list is published by the Columbia University Press, New York City; and in Great Britain and India by the Oxford University Press, London and Bombay.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

WESLEY CLAIR MITCHELL

With deep sorrow the Editors of the POLITICAL SCIENCE QUARTERLY record the death of their colleague, Wesley Clair Mitchell, on October 29, 1948.

A member of the Faculty of Political Science of Columbia University for thirty years, Professor Mitchell was until his death a Director of the Academy of Political Science, for several years its president, and, during his association with the Academy, one of its most active members and officers.

Professor Mitchell was born in Rushville, Illinois, August 5, 1874. He did his undergraduate and graduate work at the University of Chicago in the first classes of that institution, receiving the Ph.D. degree in 1899. In Chicago there began his life-long friendship and intellectual interchange with Thorstein Veblen and John Dewey. From his student days on, his interests and education were not restricted to economics but were firmly grounded in philosophy, psychology, and the history of ideas.

His first books in the field in which he was to become the acknowledged leader of the profession showed the qualities which were to mark all of his work. *A History of the Greenbacks* (1903) and *Gold, Prices and Wages under the Greenback Standard* (1908) were forerunners of his later publications on business cycles. Throughout his life his investigations were directed at writing economic history in more precise and accurate terms, explaining the operation of competitive business systems, and subjecting economic hypotheses and theories to the test of meticulously compiled and interpreted records of the facts of economic behavior. This approach produced in 1913 his *Business Cycles,* one of the few great treatises of modern political economy, in which he sets forth the character of the forces which account for the alternation of periods of good and bad business.

Occupied during World War I as economic and statistical adviser to the United States Shipping Board and the War Industries Board, he witnessed the great expansion of government statistical services and saw the value of rapidly accumulating data for economic inquiry. In 1920, Professor Mitchell, together with Edwin F. Gay and others, founded the National Bureau of Economic Research and became its

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

first director of research. He held this post for twenty-five years and, after his retirement in 1945, he remained a member of the Bureau's research staff. Under his direction and inspiration the Bureau won world-wide recognition for its contributions to economic knowledge. In this period of his life, when he assumed large administrative responsibilities at the Bureau and was a brilliant and inspiring teacher at Columbia, he pursued his investigations with unexampled zeal and persistence. He participated in the pioneer studies of national income. In 1927 he published *Business Cycles: The Problem and Its Setting*, and in 1946, in collaboration with Professor Arthur F. Burns, *Measuring Business Cycles*. Before his death, he had completed the first of a two-volume work on the same subject, drawing upon a vast fund of new materials the collection of which he had promoted and employing ever-improved methods of analysis, most of which he had himself devised.

By common consent Professor Mitchell was recognized as the outstanding figure of his profession. In 1947 he was awarded a gold medal of the American Economic Association for having made the greatest contribution to economics in our generation. He received honorary degrees from Oxford, the University of Paris, and many American universities. He served as president of the leading economic and statistical societies, was President of the American Association for the Advancement of Science and an Honorary Fellow of the Royal Statistical Society.

To his students and the many men and women who had the good fortune to work with him, Wesley Mitchell was always a modest, kind, and unselfish friend and counselor. He never hesitated to defer his own pressing obligations in order to encourage investigators of talent. He managed until his last days to keep abreast of the most recent developments in the subjects on which he worked and to retain a fresh and open mind.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED